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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. BRADY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 12, 1998.

I hereby designate the Honorable KEVIN BRADY to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

We know in our lives and in our world there are moments of diversity and times of unity. There are the issues that separate us and subjects on which we all agree. Teach us, O gracious God, to share together a unity of spirit by which we focus together on those values and traditions that express the high ideals of our Nation's history. While we are many people with many perspectives, yet we can be one in spirit and one in unity and thus demonstrate our respect and appreciation one for the other.

In Your name we pray, Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WELLER. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WELLER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Iowa (Mr. BOSWELL) come forward and lead the House in the Pledge of Allegiance.

Mr. BOSWELL led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1605. An act to establish a matching grant program to help States, units of local government, and Indian tribes to purchase armor vests for use by law enforcement officers.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 5 one-minutes on each side.

UNFAITHFUL

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELAY. Mr. Speaker, the President has been unfaithful to the historic budget agreement that he signed only last year. According to the Congressional Budget Office, the President's newest budget plan will wipe out the surplus and create a $5 billion deficit by the year 2000. If we did nothing and kept the current plan, we would have a $38 billion surplus by the year 2000.

It is no secret that the President's budget plan busts the spending limits set in last year's budget agreement. In fact, he has close to $100 billion in new wasteful Washington spending. Some Democrats have called this a do-nothing Congress. But if the choice is between doing nothing and getting a surplus, or enacting the President's plan and getting higher taxes and more Washington spending, then I think most Americans would wish that we do nothing.

Mr. Speaker, we should not let the President cheat on the budget agreement he signed only last year.

INTRODUCTION OF BILL ON CONSERVATION RESERVE PROGRAM

(Mr. BOSWELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOSWELL. Mr. Speaker, it has come to my attention that volunteer nonprofit organizations that rent land from a State entity are precluded from entering land into the Conservation Reserve Program. I am introducing legislation today to allow nonprofit organizations who rent or lease land from a State or political subdivision to participate in the Conservation Reserve Program.

The 1996 farm bill established a new Conservation Reserve Program, and its

purpose was to increase its emphasis on preserving and enhancing our natural resources, moving away from the old land idling purposes of the early 1980s.

My bill would further this effort by encouraging volunteer nonprofit organizations to use the tools of the Conservation Reserve Program to preserve and enhance the upkeep of environmentally sensitive lands in rural communities that might otherwise be neglected. Such organizations would be responsible for complying with all other aspects of the new Conservation Reserve Program and my proposed legislation makes no changes to the eligibility of land allowed to be entered into the CRP.

I am hopeful that my colleagues can join me in moving this legislation forward and allow rural communities to better preserve wildlife and water quality in rural areas.

THE IRS

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, in April of 1996, a deadly tornado struck Fort Smith, Arkansas, causing widespread destruction, yet almost a full 2 years after this tragedy, the citizens of this town are yet again facing another terror. That is right, the IRS.

IRS agents are auditing these families for not correctly reporting their casualty losses that they incurred. These folks have not been targeted by the IRS because they bilked or cheated the U.S. Government out of money by claiming fraudulent tax deductions or utilizing illegal tax shelters. These people are being audited because the IRS just does not agree with how they reported their houses were ripped from their foundations and their lives torn apart.

The reprehensible actions prompted a survivor whose house was destroyed to say that ''While the death and destruction is behind us, the tornado, the IRS, is never going away.'' She said this, of course, under an agreement of anonymity, because she fears that her comments will spur further retaliation from the IRS.

Outrageous, Mr. Speaker. It is time to take the fear and the terror out of the hearts of Americans. The time to overhaul the IRS is long overdue.

PATIENT BILL OF RIGHTS

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, I would like to share with my colleagues a disturbing story from yesterday's Washington Post. Jacqueline Lee of Bethesda fell off a 40-foot cliff in the Shenandoah Mountains while hiking in the summer of 1996, was taken by helicopter to a Virginia hospital with fractures of her skull, arm and pelvis. Her HMO refused to pay the hospital, saying it failed to obtain ''preauthorization.''

This decision by Jacqueline's HMO defies common sense, yet we all know that she is not alone. More and more Americans are finding themselves up against a wall that keeps them from getting the health care services that they need.

This is wrong. When you are suffering from an accident or illness, you need to focus and have all your energies involved in getting well. You should not have to battle with your insurance company for the coverage that you deserve.

This body needs to act on commonsense managed care reform. I urge the Republican leadership of this House to stop blocking reform, schedule a vote on managed care reform today.

THE TAX CODE

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, while Republicans are working to sunset the tax code and consign it to the ash heap of history, the President has announced that to do so would be irresponsible.

Leaving the President's relationship with young interns aside, I think it is time for the President to come clean about another very disturbing matter: Just what is the President's relationship with the IRS?

I am sure that the President would say that there is no improper relationship with the IRS, but the facts suggest otherwise. After all, why would the President defend the current tax code, all 7 million words of it? Why else would the President think that overhauling the tax code would be an irresponsible scheme? Does the President really believe that a flat tax would not be simpler, more fair, more transparent than the current tax code?

Mr. Speaker, it is time for the President to tell us the truth about his improper relationship to the agency that presides over the most corrupt, most unfair, most outrageous tax code in American history.

THE E-RATE

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUMENAUER. Mr. Speaker, Congress has agreed that it is imperative to allow our schools access to the Internet. That is why an E-Rate was established under the Telecommunications Act of 1996. This provided a discount between 20 to 90 percent, depending on the need of individual school districts and libraries, to purchase information services.

In my district, Portland schools alone would save $3 to $4 million a year in equipment and hundreds of thousands of dollars a year for operations. Across the country, schools and libraries can expect to save over $2 billion a year. Clearly, the E-Rate will make a difference in society's efforts to prepare our children for the future. Unfortunately, it is not clear that the FCC shares our commitment, having provided only one-third of what will be required by the FCC's own estimates.

The FCC will fortunately reconsider its position in 6 months. It is time for Members of Congress to show their support for this critical program. I urge my colleagues to join me in a letter to the FCC in support of the E-Rate.

MORE ON MANAGED CARE

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask those of you this morning how many of you felt pain, the pain of having a youngster break his leg, and your managed care insurance indicated that it does not meet the deductible; or the pain of having an older parent whose treatment is not able to be gotten in the jurisdiction in which you live, and you have to transport them across State lines, the United States of America, and being denied by your HMO that service for that elderly parent that you so care and love for.

I tell you it is interesting that in a House that should believe in the Bill of Rights, the Republican leadership does not want us to pass the Patient Bill of Rights, giving rights to those of you who pay every day for your health insurance, who time after time after time get denied by some bureaucrat when your doctor says you need the care.

Republicans, they say, wait a while, we will do it in increments, one by one by one. While you are staying there, not surviving, not getting the care you need and having the bureaucrat tell you what kind of hospitalization you need, what kinds of surgery you need, what kind of prescriptions you need.

It is time to pass the Patient Bill of Rights. I do not know what is wrong with the Republican leadership, but I would say to them that this body should support the Patient Bill of Rights.

ALBANIANS IN KOSOVA ARE TARGET OF GENOCIDE

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, systematic, brutal genocide has once again reared its ugly head. Ethnic Albanians in Kosova are being slaughtered. And after all this, an official at

the State Department referred to Albanian freedom fighters as terrorists. Shame, Mr. Speaker.

I hope I am wrong. I hope I am wrong. But it appears that the State Department is justifying the brutal killing behavior of a dictator called Milosevic and by doing so is legitimizing the slaughter of innocent men, women and children of Albanian descent.

Beware, Congress. This matter in Kosova can be the next Bosnia. I would also like to add that Albanian men, women and children are God's children as well.

One last reminder. England referred to George Washington years and years ago as a terrorist.

PROVIDING FOR CONSIDERATION OF H.R. 2883, GOVERNMENT PERFORMANCE AND RESULTS ACT TECHNICAL AMENDMENTS OF 1998

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 384 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 384

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2883) to amend provisions of law enacted by the Government Performance and Results Act of 1993 to improve Federal agency strategic plans and performance reports. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 2(l)(6) of rule XI are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform and Oversight. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Government Reform and Oversight now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. BRADY). The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 1 minute to my friend, the gentleman from the State of Florida (Mr. STEARNS) to speak out of order.

(Mr. STEARNS asked and was given permission to proceed out of order for 1 minute and to revise and extend his remarks.)

OLYMPIC COMMITTEE'S 5TH OLYMPIC DINNER

Mr. STEARNS. Mr. Speaker, I appreciate the consideration of the Members. I want to call the Members' attention to an upcoming event, the United States Olympic Committee's fifth Olympic dinner.

As co-chair of this dinner, I can assure the membership this will be a great event. The President and Vice President usually attend, along with Members of the House and Senate. Dozens and dozens of Olympic athletes, many making their first appearance since performing in Nagano, will be there so that we all can honor them.

The day of the dinner, many of the Olympians will visit areas schools as part of the Champions in Life program, as athletes get a firsthand opportunity to instill the values of the Olympic movement in the minds and hearts of young people in this community.

The United States is one of the few countries in the world whose government does not support its Olympic athletes financially. Our athletes are supported by the American people, volunteers and contributors. The least we can do is endorse their efforts.

Mr. Speaker, the dinner is April 29 and I hope all my colleagues will attend.

Ms. PRYCE of Ohio. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my good friend, the gentelwoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, I am pleased to announce that once again the Committee on Rules has reported a completely open rule. H. Res. 384 will provide for fair and thorough debate of House Resolution 2883, the Government Performance and Results Act Technical Amendments of 1997.

The rule provides for 1 hour of debate equally divided between the chairman and ranking minority member of the Committee on Government Reform and Oversight. For the purpose of amendment, the rule makes in order the Committee on Government Reform and Oversight amendment in the nature of a substitute as an original bill.

Under the rule, any germane amendment may be offered and any Member of this House who wishes to improve upon the bill may do so. However, priority recognition will be given to those Members who have preprinted their amendments in the CONGRESSIONAL RECORD.

After the amendment process there will be another opportunity for those who oppose the bill to be heard through the motion to recommit with or without instructions. The rule provides only one waiver which pertains to a 3-day layover requirement for the committee reports.

Finally, to facilitate consideration of H.R. 2883, the rule allows the chairman of the Committee of the Whole to postpone votes and reduce voting time to 5 minutes as long as any postponed question follows a 15-minute vote.

Mr. Speaker, as the custodians of our Nation's purse strings, Congress has an incredible responsibility. We have been entrusted to safeguard the hard-earned money that the taxpayers send to Washington. It is our responsibility to see to it that those dollars are spent wisely and that the American people get the biggest bang for their buck, and that is what today's debate is all about.

With passage of the Government Performance and Results Act in 1993, we took an important first step toward fulfilling our responsibility. Very simply, the Results Act requires Federal departments and agencies to set measurable performance goals in an effort to improve the efficiency and effectiveness of the Federal Government, a common sense request to achieve a very important goal.

However, it appears that many Federal agencies do not feel quite the same sense of responsibility to the taxpayers that Congress does. Many agencies were reluctant to develop the strategic plans required by the act. And finally, when they did submit their initial drafts, the results were disappointing at best.

For example, very few agencies linked their mission statements to the actual statutory authority under which they operate. This suggests that agencies do not set their goals and priorities based on what the agency has been designed and mandated to do.

Another troubling pattern among the agencies was their insufficient attention to fundamental problems, such as management weaknesses, reliability of data, or duplicative functions. These are essential issues that must be examined by any organization that hopes to be even remotely effective.

But even though these agencies earned failing grades for their plans and appeared to be way off course in terms of fulfilling their primary functions, they were still unwilling to exert the extra effort required to make the grade. Congress asked the agencies to go back and improve upon their plans, but under existing law the agencies do not have to submit any additional information for three more years.

H.R. 2883 addresses this roadblock to progress by requiring the submission of revised agency reports by the end of this fiscal year. These reports must provide the fundamental information lacking in the previous reports to ensure that an accurate picture of the agencies' operations is painted.

Now, some oppose this bill, claiming it would be too burdensome for the agencies, but this is not about the bureaucracy's hardship, this is about the unjustifiable financial burden we place on American taxpayers. If Congress takes its responsibilities to the taxpayers seriously, we cannot just talk about a smaller, smarter, common-sense government, we must back that rhetoric with action. And it is not enough to simply pass a bill to require accountability among agencies if we do not enforce it. We must demand compliance, and if the law proves too weak it is incumbent upon Congress to strengthen it.

Mr. Speaker, we must be relentless in our pursuit for complete and honest information that will allow us to make wise decisions and prudent investments of taxpayers' dollars. H.R. 2883 takes us to the next step in our quest for efficient, effective government by requiring agencies to fill in the gaps and glaring omissions in their strategic plans sooner rather than later. The taxpayers deserve no less.

Mr. Speaker, in closing, I would remind my colleagues that this is a fair rule providing a wide open amendment process and thorough debate on the issue at hand. I urge my colleagues to vote ''yes'' on the rule and support all our Nation's taxpayers by voting ''yes'' on the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I rise to thank the gentlewoman from Ohio for yielding me this customary 30 minutes, and I yield myself such time as I may consume.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, the proposed rule would allow all germane amendments to be offered, and while I support the open rule, I am somewhat dismayed that the Committee on Rules chose not to allow a related amendment which would have implemented one of the first promises in the majority's Contract With America.

The gentleman from Ohio (Mr. DENNIS KUCINICH), the subcommittee ranking member, brought to the Committee on Rules an amendment he had offered at the full committee. The amendment would have fulfilled the Contract With America's pledge that Congress should abide by the mandates it places on others. His amendment would have applied the Government Performance and Results Act to the committees of the Congress.

It does seem inconsistent that the majority chose not to allow a vote on applying the act's requirements to Congress. If we are serious about holding government accountable and improving its efficiency and effectiveness, we should certainly start in our own back yard.

I also have concerns about the underlying bill. I strongly supported the Government Performance and Results Act when it became law in 1993. The goal of GPRA was to make agencies undertake strategic planning and performance evaluations to streamline their operations and to make them more efficient. And I am a firm believer that the government needs to be accountable and continually strive to improve its economy and efficiency.

However, H.R. 2883 contradicts this spirit. A central requirement of this bill is the resubmission of strategic plans by all covered agencies by September 30, 1998. The premise of this new requirement is that the plans submitted less than 6 months ago were all so unusable as to be worthless. This is simply not true. The General Accounting Office has concluded that the current strategic plans provide a workable foundation for Congress to use in helping to fulfill its appropriations, budget, authorization and oversight responsibilities.

Instead of starting over at square one, the GPRA process should continue under the oversight of the appropriate authorization and appropriations committees of jurisdiction.

□ 1030

It is inefficient and uneconomical to require all agencies to repeat work that they have just completed no matter whether their plan was prepared well or poorly. Let us move ahead with the Reinventing Government initiative rather than going backward.

Mr. Speaker, while I have reservations about the underlying bill, I do not oppose this open rule.

Mr. Speaker, I reserve the balance of my time.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. LINDER), distinguished member of the Committee on Rules.

Mr. LINDER. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise to express strong support for this wide-open rule and for H.R. 2883, the Government Performance and Results Act Technical Amendments.

President Reagan used to say that the most frightening greeting was, ''Hello, I'm with the Federal Government and I'm here to help you.'' I think a close second would be, ''I'm with the Federal Government, and you can trust me to spend your money wisely.''

Mr. Speaker, when it comes to common-sense decision making and spending money wisely, the grades on performance by Federal agencies are in. Unfortunately, the average score has risen only from 29.9 to 46.6. I think most American children could imagine the reaction of their parents if they brought home report cards that looked like these. This is, unbelievably, an improvement, but it is still obviously inadequate.

We must insist on a smaller, smarter, common-sense government. That is why this legislation sends a message to agencies to come up with a more solid strategic plan that allows us to monitor performance clearly and directly. Congress passed the Results Act to hold Federal agencies accountable for efficiency and achieving results. This bill can be a tremendous tool to eliminate waste and fraud in the government, and today's legislation is designed to maximize the use of this tool.

The Federal Government spends trillions of dollars of the American taxpayers' money, and it is very important for all of us to remember that it is not the Federal Government's money. On the first day, an American citizen pays a cent in taxes, that citizen becomes a shareholder in the Government and wants to see a healthy return on their investment.

I support reinforcing the Results Act, because I cannot believe that any shareholder in any company would every tolerate mismanagement, waste, or illogical planning. In our commitment to hold the Government accountable to those who pay for it, this bill creates the framework for the American people to judge how their money is being spent.

Mr. LINDER. As for those who express concern that this bill does not include in it oversight of committees of Congress, let me remind them that this bill was passed in 1993, when the Democrats were in the majority, and they chose not to include oversight of the committees of Congress that they were at the time sharing. This is merely a technical amendment to that act, following their lines.

I strongly support enhancing this performance-based management system in order to ensure that this government achieves results-oriented goals and reacts to serious management problems. The American people expect smarter decisions based on common sense and they want to see results as soon as possible.

I urge my colleagues to support this rule and vote in favor of this very important legislation.

Ms. SLAUGHTER. Mr. Speaker, I yield 6 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, it is a pleasure to join in this debate as the ranking member of the committee. And I am pleased to be here with my good friend, the gentlewoman from New York (Ms. SLAUGHTER), to speak about our concerns about the bill.

But first of all, I want to say I support the rule, but I am disappointed that the Committee on Rules did not shield from a point of order an amendment that I think would be quite significant, which I want to speak about in a few seconds. But first of all, I am a little bit concerned at the outset, as

we are starting this debate, about this persistent attack on government itself. I mean this is our government. This is the government of the people, by the people, and for the people; and I think that these attacks on government that are occurring here ought to be exposed for what they are. They are really attacks on the democratic process itself and on the people's right to self-determination, to have a government, administration, and the Congress have direct control over this government.

So I think that is going to be part of the issue that is going to be debated here today. And, also, we are going to debate whether or not we are truly accomplishing efficiency by asking 100 Federal agencies to have to do reports all over again, reports that took months and months to prepare, reports that we are now told all of them are trash, government agencies which are working for the people in this country, after they spent long hours being accountable proving what the performances were, proving what their plans are, and then having all those things thrown out on the basis of a grading system that no one has even explained. We need to debate that today, too, even as we can say well, we accept the rule.

Mr. Speaker, when I testified before the Committee on Rules yesterday, I asked the rule to protect an amendment from a parliamentary point of order. However, the honorable opposition apparently does not wish to have any debate about whether the committees of Congress ought to be subject to the same sound management practices which are required from Federal agencies. And that is a shame, because it is clear to me, after only a year in this Congress, that our congressional committees need greater accountability and efficiency. And I think it would be of great benefit to the congressional committees, which are operated honorably and with great skill by our friends on the other side of the aisle, I think this would be a great benefit to have those committees be accountable to the Government Performance and Results Act in the same way that the administration should be. If we are serious about holding governmental agencies accountable, I think we should show by example and start right here in the Congress.

When we passed GPRA, the Government Performance and Results Act, our goal was to make the government more accountable not only to the Congress, but to the American people. We wanted agencies to set out clear goals and to set a plan for reaching those goals. And that is important. That was the right thing to do. And by requiring agencies to know where they are going and how they are going to get there, we hope to make government more efficient and to eliminate waste and duplication and add something. That is something I think all of us can agree on; we all agree that Government should be more efficient and that we should eliminate waste and duplication.

In the beginning of the 104th Congress, Mr. Speaker, Congress passed the Congressional Accountability Act; and then, for the first time, Congress was asked to abide by the same laws everyone else has to abide by. And that is what my amendment would have done. And I said it then and it was said then and I agree that Congress writes better laws and it has to live by the laws that it imposes on the executive branch and the private sector.

The goal of a more efficient government is just as important for Congress as it is for the executive branch. Congressional committees, like executive agencies, should set out a clear plan on what they hope to accomplish and how they hope to accomplish it. We in Congress should be held accountable for eliminating waste and duplication.

So, Mr. Speaker, today I am hopeful that we will have an opportunity to apply GPRA to Congress, which would undoubtedly give Members of Congress better insight into strategic planning and performance-based management and would help us write better laws, which I know we are all here to do.

The bill came out of the Committee on Government Reform and Oversight. I think that, when we look at the campaign finance investigation, we could see that, if we had strategic planning concepts involved there, that would make for some better investigations and probably eliminated a lot of the duplication, and this would help the committees, the Congress and the country.

For example, the Commerce Department received 64 requests for documents in connection with campaign finance inquiries from nine different congressional committees. As of last September 1997, the Commerce Department submitted almost a million, 1 million pages of documents in response to these requests at a total cost of $2 million.

So in conclusion, Mr. Speaker, if we apply GPRA to Congress and committees, I think we could eliminate some waste and duplication that has characterized even the most sincere efforts to try to investigate things in this administration as well as across the country.

We would save the taxpayers millions and millions of dollars. Requiring Congress to comply with the Government Performance and Results Act is just common sense. I am hopeful that, when we get to that process, we will get that amendment approved.

Again, I am supporting the rule.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. BURTON) from the Committee on Government Reform and Oversight.

Mr. BURTON of Indiana. Let me say to my colleague who just spoke, the gentleman from Ohio, that I am sorry his amendment will not be made in order because of the Rules of the House. What I would like to do is inform the gentleman that we do have accountability in the Congress. It is not necessary to put it in this particular bill.

In every session, an oversight plan has to be filed with the Committee on House Oversight by February 15. Every committee in the House does that. So we already do that.

If the gentleman would refer to page 427 of the Rules of the House, and I would like to read it to him, he will find that not later than February 15 of the first session of the Congress, each standing committee of the House shall, and we do, in a meeting that is open to the public, and with a quorum present, adopt its oversight plans for that Congress.

Such plans shall be submitted simultaneously to the Committee on Government Reform and Oversight, our committee on which the gentleman and I serve, and to the Committee on House Oversight, the committee of the gentleman from California (Mr. THOMAS).

In developing such plans, each committee shall, to the maximum extent feasible, and then it goes on and lays out very clearly what we are supposed to do. That changes from time to time with each session of Congress.

Let me just say that we have oversight plans from each committee of Congress. All we want to do with the bill we have before us today is to apply businesslike standards and requirements for every agency of government so that the taxpayer who pays the bills for all this gets the bang for the buck that they want.

We get that in the Congress. The rules of the House spell it out very clearly. I would suggest to the gentleman from Ohio, the very distinguished former mayor of Cleveland, take a good look at the rules.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, with all due respect to my friend, the gentleman from Indiana (Mr. BURTON), who I am very honored to serve with in this Congress, I would say that, if there is a sense in which we are already doing it, then, perhaps, there should not be any objection to the amendment that I am offering, which simply asks that Congress has to respond in the same way that the executive agencies have to through the Government Performance and Results Act.

While I, too, agree with my good friend, the gentleman from Indiana (Mr. BURTON), that there ought to be businesslike standards involved, I do not know any business that could survive having to do the same plans over and over.

We have the largest business in America here. It is the United States of America. We have 100 different agencies that did strategic planning. We did the plans. The plans were complete. Now, we are told that every one of those plans, somehow every single one of them are not worth anything. They should be thrown out. We have to start all over again.

I would say that is not very business-like and that is not very efficient. I say that with all due respect to my distinguished colleague, the gentleman from Indiana.

Ms. PRYCE of Ohio. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from California (Mr. HORN) a member of the Committee on Government Reform and Oversight.

Mr. HORN. Mr. Speaker, I thank the gentlewoman from Ohio for yielding me this time.

Mr. Speaker, I will save substantive remarks on the proposal as a whole for the debate. But I would like to say a few things in response to my fine colleague, the gentleman from Ohio (Mr. KUCINICH), the new ranking minority member on the Subcommittee on Government Management, Information, and Technology.

Number one, in 1993 the original Government Performance and Results Act of 1993 was bipartisan and overwhelmingly supported by this Chamber. One agency in the bill that was specifically exempt was the General Accounting Office. Why? Because it is part of the legislative branch. We do not have jurisdiction in the Committee on Government Reform and Oversight and its Subcommittee on Government Management, Information, and Technology, which I chair, on matters in the legislative branch or the judicial branch. We have jurisdiction over what happens in the executive branch.

We are coming here today to make sure that the plans that were passed on a bipartisan basis in the 103d Congress controlled by the Democrats will be brought up to date. It is not a case of dumping plans. It is getting them right in the first place. That is what we are talking about.

Since I am reminded of 1993, when the base legislation was passed on a bipartisan basis, I would merely like to observe that the House spent $1 million in that Congress on a reform group chaired by two of our most distinguished colleagues who are still in Congress, the gentleman from Indiana (Mr. HAMILTON), Democrat, and the gentleman from California (Mr. DREIER), Republican. They did an outstanding job.

Most of us wanted those reform proposals to come to the floor in the Democratic Congress. Yet, neither the Speaker at that time—the gentleman from Washington (Mr. FOLEY)—nor the Majority Leader at that time—the gentleman from Missouri (Mr. GEPHARDT)—would let that reform proposal come to the floor. That is what is wrong.

When we took over in the 104th Congress, we did the first audit since 1789. This place had never been audited. Every Member received a copy of that audit. So for the first time in the history of the Congress, Members knew where the money was going around here.

□ 1045

Number two, the Speaker substantially reorganized committees on our side. Hundreds of people that were not necessary were let go. We honed the subcommittees to get the job done.

We are still doing that. We are very conscious of it. As the chairman of the full committee said, we have our basic jurisdiction set out in the rules. We have looked at the Rules of the House. The Committee on Government Reform and Oversight receives the oversight plan from every other committee, and if they have a hole in their proposal, our committee can get into the issues involved with relation to the executive branch.

But that is the issue. It is not Congress. It is the executive branch.

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, I am going to speak more on this bill when we get into the general debate, but I did want to take this opportunity to clarify the record. The GPRA legislation, the underlying bill that we are considering today, did pass the House by a bipartisan majority. It was overwhelmingly approved. The gentleman from California (Mr. HORN) has made that statement. But he and the gentleman from Indiana (Mr. BURTON) have both told us that we cannot now apply the same standards to the Congress because, one, it is not within the jurisdiction, the House rules would prevent it, et cetera, et cetera, et cetera.

These are excuses. They are the kind of excuses that I am surprised to hear from the other side. Because one of the things the Republicans did, for which they deserve a great deal of credit, is when we organized the Congress in 1995, they said that the rules that are going to apply to everyone else should also apply to the Congress. It was a reform that was long overdue. We all supported it. I was even amazed why we had not thought of it earlier. But the fact of the matter is, it made sense.

But now we are hearing excuses about why we cannot have the same rules that this legislation sets up for the executive branch apply to the Congress. There is no reason for it. The House rules do not prevent it. It is not unprecedented.

Let me give my colleagues an example. Congress passed legislation dealing with unfunded mandates, requirements on other levels of government. We said, if the executive branch develops a proposal or regulation that is going to provide for an unfunded mandate, they are going to require special isolation of that issue so that it is clear that is what they are doing; and the same would apply to the Congress.

Both the Congress and the executive branch were covered in that legislation, appropriately. Why should we say that they cannot pass unfunded mandates, but we can; or we should not give any special consideration to unfunded mandates on either the executive branch or the legislative branch?

Let me give my colleagues a second example. Our very committee has a bill dealing with standards for child care. Very appropriate. In that legislation they talk about standards that would apply to child care that would be administered by the executive branch. But in that same bill, they require the same standards to apply to child care run by the legislative branch. It makes sense.

Let us not hear excuses why in the rule we are not going to permit an amendment that would apply the same standards to the Congress that we are asking of the administration, and that is that we develop a reasonable plan.

I will have more to say about this when we get into general debate, but I did not want anybody watching this debate to be fooled by all of these excuses.

Ms. PRYCE of Ohio. Mr. Speaker, to close, I yield 1 minute to the gentleman from California (Mr. HORN).

Mr. HORN. Mr. Speaker, I rise to support this rule. This is what I requested on behalf of the gentleman from Indiana (Mr. BURTON), the chairman of the Committee on Government Reform and Oversight.

It is an open rule. It provides opportunities for various Members of the House on both sides of the aisle to offer constructive amendments and suggestions.

We have had a lot of people on the staff of this committee and the subcommittee and the majority leader's office, who have done very helpful things. I will acknowledge them and their splendid work at the conclusion of the debate. But I want particularly to note at this time the work of the gentleman from Texas (Mr. SESSIONS) who chairs the Results Caucus. I hope he will have a lot to say on the substantive aspects once this rule is adopted.

I also particularly thank at this time the gentlewoman from New York (Mrs. MALONEY), the retiring minority ranking member who has had some very constructive amendments; and we have worked out most of those details, and we will deal with that in the substantive debate. She has been a constructive member of this subcommittee for the last three years, and we are sorry she is leaving to be the Ranking Minority Member on the Census Subcommittee.

Again, we have an excellent bill. It is a good rule. I urge our colleagues in both parties to support both.

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. PRYCE of Ohio. Mr. Speaker, I have no further requests for time. I remind this body that this is an open rule. I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. BRADY). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. PRYCE of Ohio. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Without objection, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on approving the Journal on which proceedings will resume immediately after this 15-minute vote on adopting the resolution.

There was no objection.

The vote was taken by electronic device, and there were—yeas 412, nays 0, not voting 18, as follows:

[Roll No. 48]

YEAS—412

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanders
Sandlin
Sanford
Sawyer
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—18

Ackerman
Crane
Furse
Gonzalez
Harman
John
Johnson (CT)
Livingston
Lofgren
McHugh
Poshard
Redmond
Sanchez
Saxton
Schiff
Schumer
Souder
Tanner

☐ 1111

Mrs. MINK of Hawaii and Mr. BARTON of Texas changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore (Mr. BRADY). Pursuant to clause 5 of rule I, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ROGAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 368, noes 43, answered ''present'' 1, not voting 18, as follows:

[Roll No. 49]

AYES—368

Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Boswell
Boucher
Boyd
Brady
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clement
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gilchrest
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefner
Herger
Hill
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (VA)

Morella	Rogers	Stearns
Myrick	Rohrabacher	Stenholm
Nadler	Ros-Lehtinen	Stokes
Neal	Rothman	Strickland
Nethercutt	Roukema	Stump
Neumann	Roybal-Allard	Sununu
Ney	Royce	Talent
Northup	Rush	Tauscher
Norwood	Ryun	Tauzin
Obey	Salmon	Taylor (NC)
Olver	Sanders	Thomas
Ortiz	Sandlin	Thornberry
Owens	Sanford	Thune
Oxley	Sawyer	Thurman
Packard	Saxton	Tiahrt
Pallone	Schaefer, Dan	Tierney
Pappas	Schumer	Torres
Parker	Scott	Towns
Pastor	Sensenbrenner	Traficant
Paul	Serrano	Turner
Paxon	Shadegg	Upton
Payne	Shaw	Velazquez
Pease	Shays	Vento
Pelosi	Sherman	Walsh
Peterson (PA)	Shimkus	Wamp
Petri	Shuster	Watkins
Pickering	Sisisky	Watt (NC)
Pitts	Skaggs	Watts (OK)
Pombo	Skeen	Waxman
Pomeroy	Skelton	Weldon (FL)
Porter	Slaughter	Weldon (PA)
Portman	Smith (MI)	Wexler
Price (NC)	Smith (NJ)	Weygand
Pryce (OH)	Smith (OR)	White
Quinn	Smith (TX)	Whitfield
Radanovich	Smith, Adam	Wicker
Rahall	Smith, Linda	Wise
Rangel	Snowbarger	Wolf
Regula	Snyder	Woolsey
Reyes	Solomon	Wynn
Riggs	Souder	Yates
Riley	Spence	Young (AK)
Rivers	Spratt	Young (FL)
Rodriguez	Stabenow	
Roemer	Stark	

NOES—43

Abercrombie	Gillmor	Pascrell
Becerra	Gutierrez	Peterson (MN)
Borski	Hastings (FL)	Pickett
Brown (CA)	Hefley	Ramstad
Clay	Hilleary	Rogan
Clyburn	Hilliard	Sabo
Davis (IL)	Hinchey	Schaffer, Bob
DeFazio	Kucinich	Sessions
English	Lewis (GA)	Stupak
Ensign	LoBiondo	Taylor (MS)
Fazio	Manton	Thompson
Filner	Miller (CA)	Visclosky
Fox	Moran (KS)	Waters
Gephardt	Nussle	
Gibbons	Oberstar	

ANSWERED ''PRESENT''—1

Cummings

NOT VOTING—18

Ackerman	Johnson (CT)	Redmond
Davis (FL)	Livingston	Sanchez
Furse	Lofgren	Scarborough
Gonzalez	McHugh	Schiff
Harman	Murtha	Tanner
John	Poshard	Weller

☐ 1121

So the Journal was approved.

The result of the vote was announced as above recorded.

GOVERNMENT PERFORMANCE AND RESULTS ACT TECHNICAL AMENDMENTS OF 1998

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to House Resolution 384 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2883.

1122

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2883) to amend provisions of law enacted by the Government Performance and Results Act of 1993 to improve Federal agency strategic plans and performance reports, with Mr. BRADY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from California (Mr. HORN) and the gentleman from Ohio (Mr. KUCINICH) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. HORN).

Mr. HORN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we are going to open on this bill, which has various technical corrections.

Mr. Chairman, I yield 5 minutes to the gentleman from Indiana (Mr. BURTON), distinguished chairman of the Committee on Government Reform and Oversight.

Mr. BURTON of Indiana. Mr. Chairman, the traditional way of doing business in Washington is to create yet another program or spend more money whenever we want to solve a problem. It is just more programs and more money. The President's fiscal year 1999 budget reflects this reliance on expanding government whenever possible.

For example, the President wants to expand the Federal role in local schools. The President wants to expand job training, even though the Federal Government has 163 different job training programs. His budget contains 85 new spending programs, including 39 new entitlements. These entitlements add nearly $53 billion to Federal spending over the next 5 years.

In short, 1 year after declaring that the era of big government is over, President Clinton is busy reinventing the era of big government. We are being asked to spend all of this additional money without ever having decent answers to some very commonsense questions, like, what is the purpose of the new program? Are there similar programs already in existence? Is it appropriate that the Federal Government should even do it? Or should it be done at the State or local level, or even by the private sector?

In 1993, under a Democrat Congress, we passed the Results Act, a law to apply basic business principles to Federal bureaucracies. Last September, every Federal agency was required by this act to submit strategic plans which clearly outlined where the agency is going, how it will get there, and whether it is headed in the right direction.

But when congressional teams of Republican, General Accounting Office, and in many cases Democrat staff reviewed these plans, the majority of Federal agencies failed to make the grade. The average score was 46.6 percent, and that fails in any school.

Take a look at these statistics right here. Only two agencies of the Federal Government got above 70 percent. The reasons for low scores are obvious. The General Accounting Office best summed it up in testimony on February 12, and it is on this other poster.

They said, ''The strategic plans often lacked clear articulations of agencies' strategic directions; in short, a sense of what the agencies were trying to achieve and how they proposed to do it. Many agency goals were not results-oriented. The plans often did not show clear linkages among planning elements, such as goals and strategies. And furthermore, the plans frequently had incomplete and underdeveloped strategies.''

If the Results Act is going to work, the strategic plans must give us a solid foundation for an informed policy debate about funding programs based on results. If we do not pass this bill asking for better plans by September 30, 1998, we will have to wait until the year 2000 before we get updated strategic plans. I guarantee that no successful businessman or woman would sit around for 3 years before getting their strategic plan right. If they did, they would be out of business.

Before my committee considered this bill, we offered to OMB and the Democrats to sit down and work out any problems that they had. We offered flexibility on the September due date. We offered to narrow the bill's coverage to only the agencies with the worst scores. We asked if there was anything we could do to bring them to the table, and they rejected everything we offered outright. Their reaction seems to oppose the Results Act goal of changing the old ways of doing business here in Washington.

I believe opposition to this bill comes from its threat to the status quo, a threat to the belief that Federal government programs are the answer to all of our problems. There seems to be a lot of talk by this administration about wanting to change the way government works for people. But as we try to change how government is run, true colors begin to show.

Let me be clear. If Members vote against this bill and they vote to let agencies off the hook, they vote to continue to accept low quality as a government standard. Vote in favor of this bill, and we vote for accountability in the Federal Government, and vote against failure, inefficiency, ineffectiveness, waste, and mismanagement.

Mr. Chairman, this effort started out as a bipartisan effort 5 years ago. It should remain a bipartisan effort.

☐ 1130

I urge all of my colleagues to vote yes on H.R. 2883.

Mr. KUCINICH. Mr. Chairman, I yield 10 minutes to the gentleman from California (Mr. WAXMAN), distinguished former chairman of the Committee on Government Reform and Oversight.

Mr. WAXMAN. Mr. Chairman, I thank the gentleman for yielding me the time.

I want to speak on this bill. In 1993, we adopted this law. It is called the Government Performance and Results Act. It was proposed by the administration, the Clinton administration, under the guidance of the Vice President, who was trying to figure out how to reform government, make it work more efficiently. It received bipartisan support in the Congress.

The law asked each agency to set up a plan, and that is what each agency has done. The General Accounting Office reviewed the plans, and they said they are workable, they are adequate, they are sufficient for the purposes intended.

The Office of Management and Budget reviewed the plans. They said that some plans in some agencies are better than others, but by and large, they are doing a pretty good job. So what do we have today? A bill to throw out all the plans that were done and require that they all be redone by October.

Now, the best thing it seems to me, if we want plans to be workable, is to work with the agencies to be sure their plans make sense, to work in partnership. Instead, what we have is a bill that is a partisan bill. It is going to be supported by Republicans and opposed by Democrats and opposed by this administration because the only reason this bill is on the floor is to try to say that every agency in the Clinton administration has failed.

Well, who fails them? The staff, the Republican staff of the Republican majority of the Committee on Government Reform and Oversight.

If we want to deal with the problem of government inefficiency, we ought to adopt the amendment that is going to be offered by my good friend and colleague, the gentleman from Ohio (Mr. KUCINICH). He is suggesting that we apply the same rules to the Congress that we apply to the executive branch agencies. That will be challenged, as we heard in the discussion on the rule, as something that is not germane or appropriate to this bill because it deals with the legislative branch.

Our committee has dealt with executive and legislative branch at the same time. There is no reason it could not consider the same rules to apply to the Congress in this kind of setting.

What we have is opposition from the Republicans who control the Congress. Nothing could be more hypocritical than our committee, the Committee on Government Reform and Oversight, coming to the floor and accusing other government offices of wasting money.

The House Committee on Government Reform and Oversight is the poster child for government waste. We burn money on that committee. And we ought to have the rules that apply to the executive branch apply to Congress because of the waste of this committee.

No private business would run its organization and spend money the way the Committee on Government Reform and Oversight has handled it. For the past year, the House and the Senate conducted identical and redundant campaign finance investigations. Democrats asked the Republicans to coordinate these efforts. They refused, so we had the Senate hiring staff, the House hiring staff. They have an army of staff on our committee.

We went out and our committee issued subpoenas. We issued subpoenas to the same people that had already been subpoenaed by the Senate committee. We deposed witnesses and we deposed the same witnesses that had already been deposed. We did it without any coordination. In just the House itself, we have two or three committees also doing the campaign finance investigation. So we are not only duplicating the efforts of what the Senate has done, but our committee is duplicating the work of other committees. These committees have hired staff. They have deposed the same people.

When I say ''people,'' who are they deposing? They are often deposing government agencies. For example, the White House counsel's office is now under attack in a subcommittee somewhere, maybe it is an Appropriations subcommittee, because they are accused of hiring too many lawyers. This is an accusation from one of many House committees that is investigating them.

And they keep on sending subpoenas over to them, requests for information from them. They have to hire more people just to respond to the duplicative efforts of both the House and the Senate and all the subcommittees in the House. The money is taxpayers' money. It is paying for the Government Reform and Oversight staff; it is paying for the Senate Government Reform staff. It is paying for the Committee on Economic and Educational Opportunities staff that is doing investigations.

All these committees are having the taxpayers pay for staffs, and then we have to use taxpayer money for the White House counsel's office, the Department of Commerce, every government agency that has to respond to the out-of-control campaign finance investigation where there is no duplication or focus.

The Committee on Government Reform and Oversight alone is going to spend $10 million on this investigation, and we are wasting a scandalous amount of that money. We sent people on foreign trips that produced, despite their expense, very little. We are wasting it on a gold-plated investigation where, as my colleague, the gentleman from California (Mr. CONDIT), who is well known as a watchdog of government spending, said, we have a staff of 79 lawyers, investigators, support staff working on this investigation.

We have spent over $5 million to date. We are going to end up spending $10 million. And what have we produced? Only four campaign finance hearings over nine days. Let us compare that to the Senate. They held 32 days of hearings, and they have already filed an 1,100 page report with a budget of only $3 million. So we are very, very wasteful in spending taxpayers' dollars.

I think we ought to stop pointing fingers at the executive branch. Oh, the executive branch. They ought to redo all of their plans. We ought to throw them out and make them spend more taxpayers' money, redoing those plans, while at the same time the Republicans are going to urge that we now not allow the same rules to be applied to the Congress. It makes no sense. It is a blueprint for wastefulness, duplication and it is taxpayers' dollars that are being used.

I am going to urge that, when we get to it, that the Members support the Kucinich amendment. I hope that that amendment is not ruled out on a technicality. Members want to invoke these technicalities so they do not face the substance of what is involved. The substance is that the rules that apply to the executive branch apply to Congress.

We ought to coordinate our activities. We ought to develop a plan. And for the chairman of the committee earlier to have said to us that they have a plan makes no sense, if they do have one, when we see the amount of waste that has gone on in our committee.

It is scandalous. It should not be one that should be sanctioned. We have so much money that could be saved. If we want to use money that could be saved for tax cuts or for other needed efforts, that is where we ought to put that money, not on wasteful, redundant efforts by the Congress of the United States.

I urge a vote for the Kucinich amendment, if we can get a chance to vote on it, and to vote against this bill because the bill is only a partisan one. It is not worthy of the House to consider it, because we are not really trying to make the government more efficient. We are only trying to make political statements by the Republican majority.

Mr. HORN. Mr. Chairman, I yield myself such time as I may consume.

The bill before us today H.R. 2883, Government Performance and Results Act Technical Amendments of 1997 is critical to the successful implementation of the ''results'' act passed in 1993. As I said earlier, we want the executive agencies to get it right. Many of those agencies did not even relate their goals to the statutory authorization. We need to develop the performance indicators. Only then, will the executive branch have a way to choose between programmatic options on the various programs that exist in the executive branch. Regardless of who is in control in the executive branch, Congress needs to give scrutiny to those data. The agencies need to give us programs that make some sense fiscally and that are achieving the goals that have often been approved in this Chamber on a bipartisan basis.

This bill essentially does three things. First, it asks the Federal agencies to add details to their strategic

plan about overlapping programs and management problems. The agencies would submit the revised plans by the end of Fiscal Year 1998 [September 30, 1998]. If we do not do that, you are going to have three years where the executive branch does absolutely nothing, and that is the problem.

Second, it requires inspectors general to audit agency performance measures. The inspectors general are now celebrating their 20th year. That has been a bipartisan effort of this committee in the past. It is a worthy effort. But we need to tie down who does the audit of performance measures.

It certainly is appropriate within the executive branch to have an inspector general that reports directly to Congress and the President and to the Cabinet officer but is not under the control of the Cabinet officer in charge.

Third, it requires the Office of Management and Budget to submit government-wide performance reports on the same schedule as annual agency performance reports.

Amendments were added during the subcommittee-full committee markup to require that the Council on Environmental Quality be subject to the Results Act and to require that agencies provide a determination of full cost of each program activity for the performance indicators in the performance plans. That way, everybody will know what the ground rules are.

The core requirement of this bill to have agencies resubmit their strategic plans is essential because as I have noted twice already, the plans as they now stand are severely deficient. It does not mean every agency failed. It does not mean that they did not get some things right. They just did not get the things right that are required under the basic act that was adopted in the 103rd Congress.

Congressional teams graded the plans with the General Accounting Office staff, and in many cases Democratic staff were at the table as well. Democrats were invited to participate in every single team that went over these strategic plans. As was noted by the chairman (Mr. BURTON of Indiana), the average score of those plans is now 46.6 on an absolute scale, up from 29.9. That is progress.

We want more progress. We want them to answer about overlapping programs. We need their advice. They are the people who administer these programs. The President needs their advice. If there is something where there is a big gap and they do not seem to have statutory authority and they are doing it, we need to know that.

If they tell us the interrelations with comparable agencies where you find various job programs which are spread all over the Federal Government, we will perhaps change the law in the belief that maybe there ought to be a little more focus. Most of the plans scored low for failing to identify the results of their programs, failing to identify and address these overlapping and duplicative programs and failing to address the reliability of their data systems.

If the Results Act is going to work, the strategic plans must be able to lay a foundation for an informed policy debate in Congress about funding decisions based on results. Right now agency strategic plans are too deficient to serve as a sound foundation for agency or congressional decisionmaking. Without this legislation, we will have to sit around with poor strategic plans for three more years because the current law, which did not anticipate such low quality, does not call for updated plans until the end of the year 2000.

That is the basis for this legislation. Anyone that votes against this legislation, frankly, is showing that they do not care about the output and results of the executive branch of the government.

If they do not care, they ought to go to New Zealand or Australia, the two most reform-oriented governments in the world. They are making the system work, and certainly the United States of America can make the system work. That is the basis for the legislation. We need to require that the agencies get the fundamentals right so they can submit better quality strategic plans by September 30, 1998.

Again, it is time for us, Mr. Chairman, to do the right thing. We need to pass this important legislation without delay. It has been considered with great care. We have had excellent help at the staff level and some Members of the subcommittee on proposing worthwhile amendments. We have tried to accept those. It is exactly the kind of reform the taxpayers of this Nation expect and that they deserve from their representatives in Congress.

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I urge all of my colleagues to support H.R. 2883.

Mr. Chairman, I reserve the balance of my time.

Mr. KUCINICH. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. KANJORSKI).

Mr. KANJORSKI. Mr. Chairman, I rise today to respond to some of the impassioned arguments on the other side. Listening to the other side, one would think that they have just discovered performance and results. The fact of the matter is, this administration came into office in 1993 and made a commitment to the American people to reform government and to correct government as best it could. The President assigned the Vice President, AL GORE, to head up that effort.

And what is the success of that effort? It is the most efficient Federal Government that we have had in place in more than 30 years. The accomplishments of this administration are evident across the board; 340,000 fewer Federal employees, a government that is more active and more responsive, with fewer people and less cost than any government we have known in the last 30 years.

The other side has wailed about the success of the Results Act. Let us be quite certain that the performance in the Results Act was the process required and requested by this administration and carried out by this administration. The other side has even recognized a 60 percent improvement in the reform of the Federal Government on their own scores.

What are they asking for now? They are only asking for political performance. They are asking for issues which may mislead the people and have them believe the scores are not high enough. But the American people are not stupid.

As my good friend, the gentleman from California (Mr. WAXMAN) indicated, the other side has had the chance to respond in every respect. Whether it was the 1993 Budget Act or the 1993 Results Act, the cries were, it will not work, it will not work, we will not attain it. If I remember the Budget Act of 1993, the sky was going to fall, depression was going to occur.

Why will our friends on the other side not admit that for the first time in 30 years this administration has balanced the budget in America? This administration presides over the strongest economy in the history of the United States. This administration has the lowest unemployment rate in the recent history of the United States. This administration has the lowest interest rates in the recent history of the United States.

And lo and behold, this Congress is probably spending more money than ever spent before to tie up the administration in court processes, and to investigate every department, agency and bureau of the government. For what purpose? For political advantage.

I suggest to my colleagues today that if we are really serious about the Performance and Results Act and finding out how government works, we should continue to support what the administration put in place in 1993; support the strategic plans of all these bureaus, departments and agencies and do not require them to go back and waste all that money and time rewriting these plans for political purposes. This is just another attempt to block the progress of a very useful, efficient and effective administration of government.

I urge my colleagues, if they support good performance in government, to vote ''no'' on H.R. 2883.

Mr. HORN. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. DELAY), our distinguished majority whip.

Mr. DELAY. Mr. Chairman, I thank the gentleman for yielding me this time. Before I start my prepared remarks, I just have to answer my good friend who just spoke, Mr. Chairman.

The President balanced the budget? The President lowered interest rates? The President has the lowest unemployment figures in history?

The President did nothing to accomplish any of those things. This Congress balanced the budget. I can remember the President fighting against the balanced budget amendment to the Constitution. I can remember the President laughing and vetoing our balanced budget the first time we took over in 1995. This President is taking a lot of credit for things he did not do, and the American people understand that.

But I will tell my colleagues what this President is doing. He has his agencies out there legislating like there is no tomorrow and promulgating all kinds of new rules and new regulations. Because he knows he cannot get legislation out of this Republican Congress, he is legislating by using his agencies and his executive orders to do things that the American people would reject if they were legislation on this floor.

So I rise in support of this very important piece of legislation and I urge my colleagues to vote for it.

The key question here today is very, very simple. Should the Federal bureaucracy become more accountable? It has nothing to do with the President balancing the budget, but should the Federal bureaucracy become more accountable?

Now, we believe that the administration should become more accountable to the taxpayers. We believe that the taxpayers deserve to know how their hard-earned money is being spent. It is not our money, it is their money.

We believe that the Federal agencies should develop very common sense plans, just little common sense plans to outline clear objectives so that we can track their performance goals. That just makes sense.

We believe that our Federal bureaucracy is too big and it spends too much. We believe that effective reforms can save taxpayers billions of dollars in wasted Washington spending.

Now, the opponents to this legislation, which I can not believe anyone would oppose this great piece of legislation, these opponents will come with all kinds of excuses why the government should be more careful with the taxpayers' dollars. But these excuses just cannot measure up to one simple fact: This legislation, in the end, will lead to a smaller and a smarter government. That is why my colleagues should support it.

Mr. KUCINICH. Mr. Chairman, I yield 5 minutes to the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Chairman, I thank the gentleman from Ohio (Mr. KUCINICH) for yielding me this time. And I would likewise like to thank my colleague from the other side of the aisle, the gentleman from California (Mr. HORN), for working in a truly bipartisan fashion throughout this year on so many concerns, and for adopting and accepting several amendments put forward by the minority both in amendment form and in the underlying language of the bill, specifically changes in the roles of the IG, and broadening the bill's language to include legal authorities other than just statutory authorities.

It is, therefore, very unpleasant that I must oppose this bill, given the long history that we have had in this subcommittee of bipartisan cooperation and truly the long history that we have had of bipartisan support for the Government Performance and Results Act.

It began truly under the Bush Administration. The Office of Management and Budget began working on it. Vice President Gore's Task Force on Reinventing Government contributed substantially to the formation of this language, and it ended up being the Democratic Congress' and President Clinton's first major step to reinvent government when it was passed in 1993. And it truly was the first bill that I managed on the floor of the House of Representatives, being elected in that year.

GPRA was intended to improve government management by requiring the executive agencies to set measurable goals for themselves and then report annually on whether or not those goals were met. Federal managers are just beginning to set the program goals and performance measurements which GPRA requires. GPRA will provide new ways of getting things done. Implementing it will be difficult, but its benefits will be great.

Despite the difficulties of implementing GPRA, OMB reports that about 95 percent of covered agencies submitted timely and compliant strategic plans by September 30, as required by the act. This should be an ''A'' in anyone's book, not the ''F'' that my colleague and chairman of the committee, the gentleman from Indiana (Mr. BURTON), spoke about on the floor.

Both OMB and the General Accounting Office are on record as opposing statutory changes to the bill at this time. The General Accounting Office has further noted that the strategic plan provides, and I quote, a workable framework for the next step of GPRA. So the basic premise of the bill that is before us today, that the strategic plans were so universally poor in quality that they must be done all over, has yet to be demonstrated.

I would like to put into the RECORD a letter from the General Accounting Office really stating that; that it is working fine now, should not be redone, and has a workable framework. More in the ''A'' category than the ''F'' that the gentleman from Indiana mentioned. And also a letter from OMB really disputing the grading mechanism or so-called scores put forth by the Republican majority.

If the basic premise and approach of this legislation is doubtful, when one turns to the specifics of the legislation, even more questions arise. This bill requires the resubmission of strategic plans by September 30th of '98. Even if the Senate were to act with record speed, that would give the agencies only 4 to 5 months to redo plans that they have already done.

The bill provides no additional funding for this time-consuming and burdensome process which will take agencies away from other really needed work that they need to do. The resubmission of plans 6 months after they were originally done is not consistent with the goals of reducing duplication and waste.

Mr. Chairman, I would really urge my colleagues to vote against this bill. And I would like to say that I will be supporting the amendment of the gentleman from Ohio (Mr. KUCINICH) to apply GPRA to Congress. We can learn by doing, not just by reviewing others. And this committee's campaign finance investigation is a prime example of the waste and duplication in Congress that could be eliminated by the Results Act, which the gentleman from California (Mr. WAXMAN) spoke about.

So I hope my colleagues will support the Kucinich amendment, having GPRA apply likewise to Congress.

Mr. Chairman, I include the letters referred to for the RECORD:

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, March 4, 1998.

Hon. HENRY A. WAXMAN,
Ranking Member, Committee on Government Reform, House of Representatives, Washington, DC.

DEAR RANKING MEMBER WAXMAN: I am writing to clarify what I understand may have been an inaccurate characterization of our position with respect to ''scores'' associated with agency strategic plans that are required under the Government Performance and Results Act (GPRA).

To be clear, the Office of Management and Budget believes strategic and annual plans need to be evaluated but we have never developed or endorsed a scorecard approach to that evaluation. In particular we have never endorsed specific scores, specific scoring techniques, or the weight given to different factors contained in the scorecard used by the House Majority leadership.

While I do believe the dialogue between agencies and Congress and other stakeholders is useful and will result in better, more usable plans, I do not believe the utility of a plan can be fairly captured using a scoring process similar to that used by the Majority leadership to grade the strategic plans.

I hope this clarification is helpful to you. Please let me know if you have further questions or concerns.

Sincerely,

G. EDWARD DESEVE,
Acting Deputy Director for Management.

U.S. GENERAL ACCOUNTING OFFICE,
GENERAL GOVERNMENT DIVISION,
Washington, DC, March 11, 1998.

Hon. DAN BURTON,
Chairman, Committee on Government Reform and Oversight, House of Representatives.

DEAR MR. CHAIRMAN: This letter responds to your request for our perspective on the primary provisions of H.R. 2883, the Government Performance and Results Act Technical Amendments of 1998. Among other things, the bill would require that executive

agencies revise and resubmit strategic plans not later than September 30, 1998, to the Director, Office of Management and Budget, and Congress; that new elements be included in those and subsequent strategic plans; and that each agency develop separate strategic plans for each major mission-related component as well as for the agency as a whole.

Under the Government Performance and Results Act (Results Act), the strategic and annual plans and performance reports that agencies produce are intended to serve a wide range of stakeholders within the executive branch, Congress, and the public. In our assessment of major agencies' September 30, 1997, strategic plans—produced at the request of you, the Majority Leader, and other key Committee Chairmen in the House—we noted that each of the plans we reviewed contained at least some discussion of each strategic planning element required by the Results Act and that, on the whole, the plans appeared to provide a workable foundation for Congress to use.[1]

However, we also noted that agencies' strategic planning efforts were still very much a work in progress, and we identified critical challenges that had limited the success of agencies' planning efforts. In crafting the Results Act, Congress recognized that it may take several planning cycles to perfect the process and that strategic plans would be continually refined as various planning cycles occurred. We have urged agencies to recognize that strategic planning does not end with the submission of a plan to Congress and that a constant dialogue with Congress is part of a purposeful and well-defined strategic planning process.[2]

We have found that leading results-oriented organizations believe that strategic planning is a dynamic and inclusive process rather than a static or occasional event.[3] If done well, strategic planning is continuous and provides the basis for everything the organization does. Leaders in successful organizations seek to be continuously alert to the need to adjust their organizations' strategic directions to better reflect changes in the internal and external circumstances and the views and expectations of key stakeholders.

In that regard, we understand that a number of agencies have identified opportunities to improve their strategic plans based on input from congressional and other stakeholders or as a result of developing their first set of annual performance plans. Our reviews of agencies' plans, as well as the experiences of leading organizations, suggest that the opportunities to improve the plans that have been identified were to be expected.

The strategic plans developed under the Results Act are intended to be helpful to Congress in making policy, funding, and oversight decisions, and Congress needs plans of sufficient quality, detail, and scope to meet its decisionmaking responsibilities. Congress is in the best position to determine whether statutory change is necessary to achieve this objective.

We are sending a copy of this letter to the Ranking Minority Member, House Committee on Government Reform and Oversight. Please do not hesitate to contact me on (202) 512–8676 if you have any questions.

Sincerely yours,

J. CHRISTOPHER MIHM,
Associate Director, Federal Management and Workforce Issues.

FOOTNOTES

[1] *Managing for Results: Agencies Annual Performance Plans Can Help Address Strategic Planning Challenges* (GAO/GGD–98–44, Jan. 30, 1998).

[2] *Managing for Results: Critical Issues for Improving Federal Agencies' Strategic Plans* (GAO/GGD–97–180, Sept. 16, 1997).

[3] *Executive Guide: Effectively Implementing the Government Performance and Results Act* (GAO/GGD–96–118, June 1996).

Mr. HORN. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. RADANOVICH).

Mr. RADANOVICH. Mr. Chairman, I have long been a supporter of the Government Performance and Results Act and I am pleased that Congress is strengthening the law today through H.R. 2883. In a nutshell, the Results Act holds Federal programs accountable for producing clear, tangible results in exchange for the money that they spend.

I can think of no better place to apply the common sense principles of the Results Act than in the environmental protection area. I, like most Americans, am unequivocally committed to achieving the highest standards of environmental protection in America. My experience in my district has taught they we cannot have a strong, prosperous America if we do not preserve our natural resources.

I have also learned that prosperity and a clean environment is not an either/or proposition but a both/and proposition. It is a balance the Federal Government must create in its own policies if we are to have the highest level of environmental protection. But we can only be prosperous and have a clean environment if we are true to a few simple principles Americans hold accountable; that is accountability for results, personal and community responsibility, and effective use of our entrepreneurial genius through sound science and technological advances.

The Results Act offers a chance to examine whether government programs are consistent with these values, especially whether they are focused on producing tangible environmental results through the most effective and efficient means possible.

Unfortunately, the Clinton Administration does not see things the same way I or most Americans do on this issue. Last year I was deeply troubled when the administration issued a waiver exempting the Council on Environmental Quality from the common sense requirements of the Results Act. Because this council is supposed to play a key role in setting policy and reviewing approaches and performances of all Federal environmental programs, the administration was, in essence, signaling that results do not matter.

This action occurs at the very same time when the council, along with a host of other Federal environmental programs, are coming under fire from reputable institutions such as the National Academy of Public Administration for lacking a clear picture of what environmental outcomes are sought and achieved by our government.

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The Results Act provided the administration the perfect opportunity to address this imbalance and focus itself on producing the best environmental outcomes possible. Unfortunately, by exempting the Council on Environmental Quality, the administration has left Congress and the American people with no accounting of whether the Council is achieving its objectives through what means, at what cost, and at what time schedule, and so on.

It is time to get back to basics and focus on environmental programs, on producing tangible results rather than safeguarding their outdated command and control regulation-driven methods. H.R. 2883 gets us back on track by requiring the Council on Environmental Quality to comply with the Results Act, as well as outlining stronger provisions for the rest of our environmental programs to follow, as well.

I urge my colleagues to join me in supporting H.R. 2883 so that we can hold the Council on Environmental Quality and all Federal programs to these common-sense principles of accountability that the American people expect from their Government.

Mr. KUCINICH. Madam Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. I thank the gentleman from Ohio for yielding.

Madam Chairman, today I rise in opposition to this bill. The Government Performance and Results Act of 1993 sought to streamline Government and make it more efficient and effective in its delivery of services to the people. The Government Performance and Results Act, GPRA's, objectives are laudable goals on which all of us can agree.

However, these amendments at this time would undermine the original goals of the bill, which are to reduce waste and inefficiency in Government. In fact, this bill would require all 100 Federal agencies to resubmit their strategic plans less than 6 months after their original submission. To require agencies to redo their plans in just 6 months is untenable, unreasonable, costly to the taxpayers, and would be an administrative nightmare.

Moreover, at the subcommittee's recent hearing on this legislation, not a single witness testified in support of this universal resubmission requirement. The Government Accounting Office and the Office of Management and Budget both agree that the plan submitted by the agencies provide a workable foundation for Congress to use in helping to fulfill its appropriations, budget, authorization, oversight responsibilities, and for the continuing implementation of GPRA. Therefore, these amendments are premature, unwarranted; and I certainly would urge my colleagues to oppose the bill.

In addition, if we are serious, then we will support the Kucinich amendment, which suggests that Congress itself comply with the requirements of GPRA. I have always been told that ''you cannot lead where you are unwilling to go.'' And if we are serious, then we would comply so that we do not

continue to have unwarranted, unnecessary investigations where individuals come and testify and give the same information that they have already given. And we know that that is precisely what is going to happen. No, if we are serious, we will vote in favor of the Kucinich amendment and vote down this bill.

Mr. HORN. Madam Chairman, I yield myself such time as I may consume. I just want to set the record straight. Here is a letter to Chairman BURTON from the Acting Comptroller General of the United States, James F. Hinchman.

''Dear Mr. Chairman, I am writing to correct the misleading impression in the March 11, 1998, Statement of Administration Policy on H.R. 2883, the Government Performance and Results Act Technical Amendments of 1998, that we oppose the bill. This is not our position.'' I repeat to my friends across the aisle, the Acting Comptroller General, speaking for the General Accounting Office says that they do not oppose this bill.

''This is not our position,'' writes Mr. Hinchman, who adds: ''As we noted in our letter March 11, 1998, sent to you, the strategic plans developed under the Results Act are intended to be helpful to Congress in making policy, funding, and oversight decisions, and Congress needs plans of sufficient quality, detail, and scope to meet its decisionmaking responsibilities. We therefore believe that Congress is in the best position to determine whether statutory change is necessary to achieve this objective and accordingly do not have a position on H.R. 2883.'' He closes with ''I am sending a copy of this letter to the Ranking Minority Member, House Committee on Government Reform and Oversight.'' That is the gentleman from California (Mr. WAXMAN).

Madam Chairman, I yield 4 minutes to the gentleman from Texas (Mr. SESSIONS), who has had a leading role in this. He is the founder and chairman of the Results Caucus. He has done an outstanding job as a new Member to this House. He takes his assignments seriously, and we can always depend upon him to show up and to have constructive suggestions.

Mr. SESSIONS. Madam Chairman, the discussion that we are having today is about whether we will go back and look at those strategic plans that have been presented by agencies and whether they not only fit the criteria that they were supposed to and, also, whether we will go back now and ask them to revisit what they have done.

What I would like to point out to my friends on the other side of the aisle is that we have repeatedly attempted to work with agencies. This law was passed in 1993. When I came to Congress, I was very careful to work with not only Inspector Generals, but also each agency head, to let them know that we were serious about getting their strategic plans so that we could make determinations, including those that would be appropriations-related, about the business that they were doing.

As my colleagues can see from this chart, every single time we attempt to work with the administration, their plans get better. The fact of the matter is that some 19 out of 24 are still in an F-grade status. We are attempting to be honest and to accept the responsibility that is given to us through the American people when we ask the administration to please justify the work that they are doing to where we can make the appropriate decisions about money.

When I spent 16 years in the private sector, I had to fill out a strategic plan. Of course, I did not like it. But it was given to the people who appropriated money to me in my business and that they would know what I was doing; and what I expected to be done was on that sheet of paper.

I will politely tell my friends and remind them again that the plans that have been presented by these agencies will make it very difficult for us to appropriate money for all the things that need to be done. I am disappointed with what they are doing, and I am going to support this to ask that we get clear and better towards the people's business.

Mr. KUCINICH. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, the Government Performance and Results Act was strongly supported by Democrats when it became law in 1993. It was fully consistent with efforts by the administration to reinvent government.

Let us be fair about this. Spearheaded by Vice President GORE's National Performance Review, the administration has made great strides in bringing greater accountability, efficiency, and economy to the Federal Government. It is actually the longest running reform effort in U.S. history.

The policies have already saved American taxpayers over $130 billion. Now that is economy. The size of the Federal work force has been reduced through attritions and buyouts by over 300,000 employees. That is efficiency. We now have the smallest Federal work force since John F. Kennedy was President. That is economy and efficiency.

Federal agencies have eliminated more than 16,000 pages of regulations. That is efficiency. Agencies have been cutting red tape, empowering Federal employees, and putting the public first.

Government works. The American people know that government works. People know government can do better. They also know that government is doing its job. This is our government. We have a responsibility to make it work for us.

That is what the Government Performance and Results Act is intended to do, to make government work, to make it work better, to make it work more efficiently, working for the people.

We, the people of the United States, this is our government. Our government was required to do strategic plans by October 1, 1997. And each agency, Madam Chairman, has done the plans that they were required to do.

When we tell each agency that after they have already submitted plans, in this case 100 agencies each submitting a plan that they have spent a year working on, when we tell those agencies that they should throw all those plans out and start all over again, we need to look at that process.

I ask the Members of this House, is it possible that all the agencies submitted plans which should be failed? Let us say it is possible that one could have. One agency possibly may not have done the plans right. Do the plan again.

But I ask, is it possible that every single agency in the Federal Government, Labor, HHS, Treasury, the FTC, the SEC, and all of those other agencies which the American people are familiar with, is it possible that none of these agencies know what they are doing? That they all have to be failed? Is that possible?

Madam Chairman, I was a college associate professor for a while. I have had the opportunity to have classrooms full of students. I was in a role of a teacher. I had my objectives.

At the end of the period, at the end of the course, I gave a test. What would it say about me if everyone in the class failed? The administration of the college would come back to me, and they would not say, what is wrong with your class? They would say, what is wrong with you?

Think about that, all the people who have kids in school. If you had someone who failed every one of the kids in the class, would you say the kids were wrong, or would you say there is something wrong with the teacher?

Let us look at this legislation. This legislation says everybody in the Federal Government failed. That is not credible. That is not even possible. Telling the American people that the entire Federal Government is in a shambles at a time when there is a balanced budget, at a time when we are making government work, at a time when we have lowered interest rates, and I say ''we'' because it has been the Congress and the administration, at a time that unemployment is down, at a time that we are making government work, at a time that we are making government accountable, this legislation stands all that on its head.

If anyone believed that the entire government is a mess, then this Congress itself cannot escape the consequences of such logic. We smear ourselves by advancing such a proposition, ladies and gentlemen.

It has been my experience in my first year in Congress that there is a lot of good men and women on both sides of the aisle. I want the American people to know that this is a Congress that can work for the people; that there are

good people on both sides of the aisle. Sure we could do better. We can make the government work better.

The executive branch has done a lot of good. Men and women who are in that branch ought not to be told that their work is worthless. They ought not to be told that they failed.

If all of the agencies failed, then perhaps it is not the agencies that have failed, but the law which holds them to criteria and performance standards which are unobtainable because they are unreasonable.

We all want government to work. We all want a results-oriented government. I believe that we can work with the administration to get them to do a better job. But let us not tell all these agencies their work is meaningless, because if that is what someone really believes, then what you are saying is you just do not believe in government. You do not like government.

We are the government. That is my point. We should not promote this hatred of government. Because in doing so, we inspire bad feelings about the Congress itself. As I said, there are a lot of good men and women in this House.

So do not tie up our government by telling 100 agencies they should do their work all over again. Do not create a paperwork mess by asking for another hundred plans. Do not tell the American taxpayers they should pay money and have those agencies do something again that they have already done once. Let the agencies do their jobs for the American people.

Mr. SESSIONS. Mr. Chairman, will the gentleman yield?

Mr. KUCINICH. I yield to the gentleman from Texas.

Mr. SESSIONS. Mr. Chairman, I have some questions. How many of these plans did the gentleman from Ohio look at?

Mr. KUCINICH. I would say I looked at a few of them. I think all the plans could be done better. But should they all be done over again? No.

Mr. SESSIONS. What we are trying to say is that we have looked at them. We have reviewed them. We have been in constant contact with agencies. We have given them specific feedback about the things that are lacking. It was not like an F grade with no comments.

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They are specific comments directly to the agencies about how they can make that better to where we can have the language between that and appropriations.

Mr. KUCINICH. I would like to ask the gentleman who did the grading.

Mr. SESSIONS. The grading was done by the people who had been working directly with the agencies. That was done with consent of the staffs. The minority staff was there the entire time that this was done and given every opportunity to participate.

Mr. KUCINICH. I would like it stated for the record that we took issue with this whole process because it established criteria which were absolutely impossible. The fact of the matter is, it defies logic, it absolutely defies logic, that every agency in the Federal Government does not know what it is doing. I would be afraid to get on an airplane if that were the case.

I think that we need to understand that government can do better. I agree with the distinguished gentleman. We can do better. But to pass a law and as a consequence tell all 100 of those agencies that they do not know what they are doing and at the same time tell them that they failed.

Mr. SESSIONS. The assumption is that we were not forthright in what we did by asking them directly. If what they would do is to listen to what we were saying about these agencies, we had professionals who were involved. The bottom line is that the business we are involved in is serious and we are trying to get the agencies to come and be responsible.

Mr. KUCINICH. Reclaiming my time, I would respectfully suggest to the gentleman that we have professionals who are also running this government. This is not amateur night in the government. If we pass this bill, it implies that we have a bunch of amateurs running the government and that is not true.

People across this country are seeing ways in which government works. People across this country are finding that government can do things for them when they need the help of the government.

I know I am not here as an apologist for government. I know better. I know that government can do better. But I also know that it is wrong for us to start condemning the very institutions which we are here to represent and to try to make work by asking people to vote for legislation that would in effect say that nothing is working.

Mr. SESSIONS. There was a report that was issued in the 104th Congress that talked about $650 billion worth of waste, fraud and error in the Government of the United States. We are attempting to make sure that we spend every penny that we should but not a dollar more. What we are trying to do is to be responsible and do the responsible thing, and we are asking to be met halfway.

We have given a great deal of information back to every agency, we have been very specific in what we have talked about, and we think it is not only fair and right, but it is the proper thing to do for accountability.

Mr. KUCINICH. Madam Chairman, I would suggest that under existing law we already have laws to make the agencies do a better job, we do not need to pass another law that tells all 100 agencies to do their plans all over again. That is the point of my presentation here, that what we are asking the agencies to do is unfair. We are smearing the entire government by proposing this legislation be passed, and we are doing it in the name of efficiency.

Where is the efficiency in asking 100 agencies to do their plans all over again, plans that they just completed about 6 months ago? It just defies logic.

I would like to say that this is not a mystery process here in the House of Representatives. We just have to ask, does it make sense? That is what I ask. Does it make sense that 100 agencies all failed in providing their strategic plans? Does it make sense that we ask 100 agencies to do plans all over again?

Mr. SESSIONS. My point would be this. It should be done until it is done correctly. There are small businesses, large businesses that all operate off a strategic plan. If they do their strategic plans such that they are able to survive, then that will be the determination.

The CHAIRMAN pro tempore (Mrs. EMERSON). The time of the gentleman from Ohio (Mr. KUCINICH) has expired.

Mr. HORN. Madam Chairman, I yield myself such time as I may consume. It has been implied that nobody on the other side of the aisle was ever involved. All Democratic staff that were relevant were invited. I know that the following participated. It does not mean they were in every meeting, because staff members have a lot of things to do on the subcommittee staff.

I thank the Democratic minority staff: Mark Stephenson, a very valuable staff member that we all rely on is a staff member of the gentleman from California (Mr. WAXMAN), the Ranking Minority Member on the full committee was a participant. So was Howard Bauleke, Minority Counsel, Committee on Commerce, reporting to the gentleman from Michigan (Mr. DINGELL) who is the Ranking Minority Member. Also participating was Elana Broitman, professional staff member Committee on International Relations, reporting to the gentleman from Indiana (Mr. HAMILTON), the Ranking Minority Member. Mary Ellen McCarthy, Minority Counsel-Benefits, Committee on Veterans' Affairs, participated. She reports to the gentleman from Illinois (Mr. EVANS).

I simply want to clear the air since there have been a few false impressions left here. The Democratic staff was involved. They could have been involved in every meeting. That is their choice. They were notified by the majority staff. I cannot help it if they have a lot of other things to do. I hope that their Ranking Minority Members then do not come to the floor and say, ''Gee, nobody ever consulted us.'' Baloney.

We have had the rule in my subcommittee that the staff director, Russell George, notifies the gentlewoman from New York (Mrs. MALONEY), who was the ranking member during most of this period, on everything that we are doing. That is why we have had very good cooperation on both sides of the aisle in that subcommittee.

Madam Chairman, I yield 3 minutes to the distinguished gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman for yielding me this time. Madam Chairman, I have been listening to this debate. It has been a good debate.

I want all Members to be reminded of something the gentleman from Ohio just said. He said that we are here to represent these agencies. I think that that is true, that that side is here to represent those agencies, the Washington bureaucracies. I think it is very important because it not only defines this debate, but a central difference between the Republicans and the Democrats. Because we are here to represent the taxpayers, the American people, we see this as a bureaucrat reality check. ''Bureaucracies, you have a budget of $1.7 trillion. We want to know where you are going with the money, how you are getting there, is it being done properly or not?''

I was here when we started the Reinvent Government and served on a bipartisan panel. I found out that reinventing the government is more than a photo op or a PR tour. You cannot just talk the talk; you have to walk the walk. There comes times, yes, for some heavy lifting. What we are saying is, ''Do what the private sector does.''

''Isn't that horrible? The government bureaucracies whom we love on this side must do what the private sector has to do. This is horrible.''

Can my colleagues imagine Coca-Cola working or operating without a mission statement? Can my colleagues imagine Mr. Ivester, the chairman of Coca-Cola, saying, ''What we need to do is follow the Post Office example.'' Or could my colleagues imagine Gates at Microsoft saying, ''I know. Let's follow the IRS when it comes to computer technology.'' The private sector is not going to do that.

All we are saying to government agencies is, do what the private sector does.

Let us put it in terms for the defenders of the status quo; let us put it in terms of the middle class. You are sitting around the kitchen table, you have finally paid off your credit card for one month, but you still have a debt, in this case it is $4.5 trillion. So you have to ask yourself, is it cheaper to buy eggs by the dozen or should we buy them individually? Should I wear the clothes and wash them or should I just discard them once they are dirty? When my car needs a tuneup, should I trade it in or should I tune it up and keep going with it?

This is what middle-class America has to do every single day, every single paycheck, every single month. They simply have to ask themselves the questions which we are saying to these high, exalted Washington bureaucrats: ''Look, you've got to go through things because we're still $4.5 trillion in debt.''

We are delighted that the United States Congress has played a role in balancing the budget, but it is not good enough. We still pay about $240 billion a year, almost more than we spend on the military, just in interest on the national debt. I think we owe it to the people.

I am on the Appropriations Committee. When a government bureaucracy comes to ask for their share of the $1.7 trillion, I want to know, are you doing it well? Are you doing it efficiently? Can you do it better? Can it be farmed out to a nonprofit organization or to a for-profit organization? Could it be done locally, could it be done on the State level? These are important questions. That is why we are here to represent the taxpayers, not the bureaucracies.

Mr. HORN. Madam Chairman, I am delighted to have the following speaker follow the gentleman from Georgia (Mr. KINGSTON) because if W.C. Fields were alive he would say, ''Never follow Jack Kingston,'' but we have the talented majority leader, and I am delighted to yield such time as he may consume to the gentleman from Texas (Mr. ARMEY).

Mr. ARMEY. I thank the gentleman for yielding me this time.

Madam Chairman, I want to begin by commending the gentleman from Indiana (Mr. BURTON) and the gentleman from California (Mr. HORN) and the gentleman from Texas (Mr. SESSIONS) for bringing this bill to the floor. I want also to express my appreciation to the minority side of the committee.

GPRA, the Government Performance and Results Act, or as we know it, the Results Act, was passed into law in 1993. It was passed by a Democrat majority in Congress and signed by President Clinton.

The object of the legislation at the time was to acknowledge the fact that every agency of this government is a creature of the Congress of the United States working in conjunction with the executive branch of the United States, that every agency of this government is created, and has been in the past created, to serve a purpose on behalf of the American people; and that it is an ongoing responsibility of the Congress and the executive branch, and should be a responsibility fulfilled on both a bicameral and a bipartisan basis to provide oversight and encouragement to each of these agencies, to have a clearly defined set of objectives consistent with the law of the land from which they were created, and to have clearly and closely monitored courses of action for their performance with respect to the fulfillment of those objectives.

It is called oversight. It is not optional. It is a responsibility and a duty of the Congress to provide that.

That was recognized, on this floor, in those debates, by the majority as we passed this bill in 1993. It was recognized by the White House and the President as they signed the legislation in 1993, and it has been recognized by this Congress.

Now, I must say, to a large extent what we have been doing for the last couple of years under the Government Performance and Results Act is going to each and every agency of the United States Government and saying, you ought to be doing a service for the American people. You ought to be giving the American people some value for their tax dollar by doing something that is in fact meaningful in their lives and doing that on the most cost-effective basis possible. We ask you to plan, to create a plan, and to rigorously execute a plan that is consistent with those goals and objectives that you yourself define.

In a sense, we have been asking each and every agency of the government to learn a new rigor in how they conduct the people's business.

Know a lot of my colleagues will not believe this, but I am 58 years old. I can tell Members it is not always easy to learn new ways of doing things, especially if you happen to be an agency that is 58 years old or a 58-year-old person in that agency. But sometimes I think it becomes in fact just plain necessary.

The American people are not happy. The American people do not believe they are getting good value for their dollar. The American people do not believe that every agency knows what its mission is or has any idea whether or not they are accomplishing their mission.

I have to tell Members, I am proud of the way the responsibilities of GPRA have been picked up by both the Republicans and the Democrats in the House and the Senate, by the White House, as we worked with the office of OMB, and by the agencies themselves as they have struggled to get it right. It has taken time. It has been difficult. It certainly has not been a very happy experience, I am sure, in the lives of many, many people. But we have made great progress.

We have had a better understanding in Congress of what our responsibilities are, and we now see GPRA provisions being written into the law as we go into the process, and we have seen the agencies work and respond. And some have responded more effectively than others, but they have all made the effort.

What this bill says today is, ''Let's update the 1993 act. Let's give ourselves the opportunity to take the time to really truly do it right. Get it done correctly.''

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We will discuss in this body among ourselves, and have done so, whether or not there ought to be this objective of Federal public policy, or that objective; should there be this kind of an agency, or that. But once that is settled and the agency is in place and money is appropriated for its operation, and people are employed to carry out the purposes of the agency on behalf of the American people, can

they, in fact, do so as any other enterprise, whether it be a family or a business, after review, reconsideration of objectives, reaffirmation of purpose, and reconstruction of methodology, do that thing which they have set out to do in a more effective and complete way at less cost to the taxpayers.

We do these things as we conduct ourselves in the ordinary business of life in the private sector. The Federal Government should do that with the tax dollars it takes from people in the ordinary business of life from the private sector. And in the end, if we do it well, we will have a government that is, in its ordinary business of life, day in and day out, a service in the lives of our constituents.

Each and every one of us as a Member of Congress has two jobs. I have a job in Washington where I am involved in making the laws and creating the agencies and creating the programs, and I have a job in my district, working hand-in-hand with real people in their real lives as they struggle to live with those agencies and those programs. We call that back home in our district constituency service.

Is there any Member of Congress whose heart does not break every year when they look at the number of times constituents from their districts have come to them, troubled because the red tape, the procedures, the process by which an agency has related to their lives with respect to something that is important in their lives have been so cumbersome, so bothersome, so ineffective that they just feel a desperate frustration and come to you and say, ''Now, beyond my case, can you not make it work?'' That is really what we are about here.

The committee has done a great job of reviewing this act and reviewing the efforts that have been made, efforts that are commendable, and seeing where we might reconstruct the law and just that little bit of fine-tuning that allows our ability to achieve these real results, to proceed with even better results.

So again, let me encourage all Members of this body on both sides of the aisle, if in fact we want a government that is a real service in the lives of our constituents, and a government that does not result in us having beleaguered constituents flocking to our offices back in our districts saying, ''Please help me with this frustrating experience of trying to work with this agency,'' and if we want to give the agency a word of encouragement and support for their magnificent efforts to in fact get it right.

The agencies are not complaining about this effort. The agencies are saying, we understand the need to perform better and we want to do so. We just need more time to learn some new tricks, and I can tell my colleagues, I understand that. This old dog always needs more time to learn new tricks, but I hope I learn, and I know the agencies will learn, and I know that Congress wants to give them that kind of encouragement.

Mr. BROWN of California. Mr. Chairman, the bill before us today is characterized as merely offering technical amendments to the Government Performance and Results Act of 1993. If that were true, I could support the bill. However, the bill moves beyond technical amendments to include a requirement that every agency produce a new Strategic Plan to be submitted by September 30, 1998. This is probably the most anti-strategic planning requirement we could possibly conceive of.

The idea of entering into a strategic planning process is that Agencies will begin to clarify their priorities, develop solid measures of performance and begin to tie their priorities, performance and budgeting together in a thoughtful and coherent fashion.

While most agencies, at some level, have always engaged in planning and priority setting in budgeting; what is new about GPRA is the requirement that this be done agency-wide, by every agency and that these agencies develop credible measures of performance.

The process envisioned in the original act called upon agencies to produce a five year strategic plan that would lay out general goals. Then each year's budget submission would elaborate how the dollars being spent would be used to further the goals of those plans and propose measures for performance in achieving the goals.

After each fiscal year, each agency would be responsible for reporting back to Congress on how it performed as measured against its own goals. We haven't even been through one cycle of this process and already we are seeing technical amendments. Further, rather than let agencies see how the process works, look for ways to improve their processes and learn by doing, we are imposing on all of them that they go back to the drawing board and redo another round of strategic plans.

And how are they going to do that when we can't even predict when or if this bill will ever pass into law? By requiring that agencies redo their strategic plans you interfere in their ability to carry out their efforts to develop measures, tie budgets to priorities and learn how to do all of that better. Worse, we cannot tell agencies when this burden will be imposed on them or even if it will because there is no one in this body who can predict when or if this bill will become law. In short, this is an irresponsible provision.

The only folks who are going to benefit from the requirement are the beltway bandits who have been making millions of dollars advising agencies on how to be GPRA-compliant. This is a giveaway to contractors, nothing more nor less.

While I could support some of the technical amendments in this bill, I find the requirement that agencies redo their plans so pernicious and contrary to any honest spirit of improving the planning efforts of Federal agencies that I must oppose this leglislation.

The CHAIRMAN pro tempore (Mrs. EMERSON). All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill is considered as an original bill for the purpose of amendment, and is considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2883

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Government Performance and Results Act Technical Amendments of 1998''.

SEC. 2. AMENDMENTS RELATING TO STRATEGIC PLANS.

(a) CONTENT OF STRATEGIC PLANS.—Section 306(a) of title 5, United States Code, is amended—

(1) in paragraph (1), by inserting before the semicolon '', that is explicitly linked to the statutory or other legal authorities of the agency'';

(2) in paragraph (2), by inserting before the semicolon '', that are explicitly linked to the statutory or other legal authorities of the agency''; and

(3) by striking ''and'' at the end of paragraph (5), by striking the period at the end of paragraph (6) and inserting a semicolon, and by adding at the end the following new paragraphs:

''(7) a specific identification of any agency functions and programs that are similar to those of more than one component of the agency or those of other agencies, and an explanation of coordination and other efforts the agency has undertaken within the agency or with other agencies to ensure that such similar functions and programs are subject to complementary goals, strategies, and performance measures;

''(8) a description of any major management problems (including but not limited to programs and activities at high risk for waste, abuse, or mismanagement) affecting the agency that have been documented by the inspector general of the agency (or a comparable official, if the agency has no inspector general), the General Accounting Office, and others, and specific goals, strategies, and performance measures to resolve those problems; and

''(9) an assessment by the head of the agency of the adequacy and reliability of the data sources and information and accounting systems of the agency to support its strategic plans under this section and performance plans and reports under sections 1115 and 1116 (respectively) of title 31, and, to the extent that material data or system inadequacies exist, an explanation by the head of the agency of how the agency will resolve them.''.

(b) RESUBMISSION OF AGENCY STRATEGIC PLANS.—Section 306 of title 5, United States Code, is amended—

(1) in subsection (b), by striking ''submitted,'' and all that follows through the end of the subsection and inserting the following: ''submitted. The strategic plan shall be updated, revised, and resubmitted to the Director of the Office of Management and Budget and the Congress by not later than September 30 of 1998 and of every third year thereafter.''; and

(2) in subsection (d), by inserting ''and updating'' after ''developing'', and by adding at the end thereof: ''The agency head shall provide promptly to any committee or subcommittee of the Congress any draft versions of a plan or other information pertinent to a plan that the committee or subcommittee requests.''.

(c) FORMAT FOR STRATEGIC PLANS.—Section 306 of title 5, United States Code, is amended by redesignating subsection (f) as subsection (g), and by inserting after subsection (e) the following new subsection:

''(f)(1) The strategic plan shall be a single document that covers the agency as a whole and addresses each of the elements required by this section on an agencywide basis. The head of an agency shall format the strategic plans of the agency in a manner that clearly demonstrates the linkages among the elements of the plan.

''(2)(A) The head of each executive department shall submit with the departmentwide strategic plan a separate component strategic plan

for each of the major mission-related components of the department. Such a component strategic plan shall address each of the elements required by this section.

''(B) The head of an agency that is not an executive department shall submit separate component plans in accordance with subparagraph (A) to the extent that doing so would, in the judgment of the head of the agency, materially enhance the usefulness of the strategic plan of the agency.''.

SEC. 3. AMENDMENTS RELATING TO PERFORMANCE PLANS AND PERFORMANCE REPORTS.

(a) GOVERNMENTWIDE PROGRAM PERFORMANCE REPORTS.—Section 1116 of title 31, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection:

''(f)(1) No later than March 31, 2000, and no later than March 31 of each year thereafter, the Director of the Office of Management and Budget shall prepare and submit to the Congress an integrated Federal Government performance report for the previous fiscal year.

''(2) In addition to such other content as the Director determines to be appropriate, each report shall include actual results and accomplishments under the Federal Government performance plan required by section 1105(a)(29) of this title for the fiscal year covered by the report.''.

(b) INSPECTOR GENERAL REVIEW OF AGENCY PERFORMANCE PLANS AND PERFORMANCE REPORTS.—

(1) IN GENERAL.—Chapter 11 of title 31, United States Code, is amended by adding at the end the following:

''§ 1120. Inspector general review of agency performance plans and performance reports

''(a) The inspector general of each agency (or a comparable official designated by the head of the agency, if the agency has no inspector general) shall develop and implement a plan to review the implementation by the agency of the requirements of sections 1115 and 1116 of this title and section 306 of title 5. The plan shall include examination of the following:

''(1) Agency efforts to develop and use performance measures for determining progress toward achieving agency performance goals and program outcomes described in performance plans prepared under section 1115 of this title and performance reports submitted pursuant to section 1116 of this title.

''(2) Verification and validation of selected data sources and information collection and accounting systems that support agency performance plans and performance reports and agency strategic plans pursuant to section 306 of title 5.

''(b)(1) In developing the review plan and selecting specific performance indicators, supporting data sources, and information collection and accounting systems to be examined under subsection (a), each inspector general (or designated comparable official, as applicable) shall consult with appropriate congressional committees and the head of the agency, including in determining the scope and course of review pursuant to paragraph (2).

''(2) In determining the scope and course of review, consistent with available resources, each inspector general (or designated comparable official, as applicable) shall emphasize those performance measures associated with programs or activities for which—

''(A) there is reason to believe there exists a high risk of waste, fraud, or mismanagement; and

''(B) based on the assessment of the inspector general, review of the controls applied in developing the performance data is needed to ensure the accuracy of those data.

''(c) Each agency inspector general (or designated comparable official, as applicable) shall submit the review plan to the Congress and the agency head at least annually, beginning no later than October 31, 1998.

''(d) Each agency inspector general (or designated comparable official, as applicable) shall conduct reviews under the plan submitted under subsection (c), and submit findings, results, and recommendations based on those reviews to the head of the agency and the Congress, by not later than April 30 and October 31 of each year. In the case of reviews by an agency inspector general, such submission shall be made as part of the semiannual reports required under section 5 of the Inspector General Act of 1978.''.

(2) CONFORMING AMENDMENT.—Section 1115(f) of title 31, United States Code, is amended in the matter preceding paragraph (1) by striking ''1119'' and inserting ''1120''.

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 11 of title 31, United States Code, is amended by adding at the end the following new item:

''1120. Inspector general review of agency performance plans and performance reports.''.

(c) REQUIREMENT TO USE FULL COSTS AS PERFORMANCE INDICATOR.—Section 1115(a)(4) of title 31, United States Code, is amended by inserting before the semicolon at the end the following: '', which shall include determination of the full costs (as that term is used in the most recent Managerial Cost Accounting Standards of the Federal Financial Accounting Standards) of each program activity''.

SEC. 4. LIMITATION ON AUTHORITY TO EXEMPT THE COUNCIL ON ENVIRONMENTAL QUALITY.

Section 1117 of title 31, United States Code, is amended by inserting before the period the following: '', except that the Director may not exempt the Council on Environmental Quality''.

SEC. 5. SUBMISSION OF AGENCY FINANCIAL STATEMENTS.

Section 3515(a) of title 31, United States Code, is amended—

(1) by striking ''1997'' and inserting ''1999''; and

(2) by inserting ''the Congress and'' after ''and submit to''.

The CHAIRMAN pro tempore. During consideration of the bill for amendment, the Chairman may accord priority in recognition to a Member offering an amendment that he or she has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

Are there any amendments to the bill?

AMENDMENT OFFERED BY MR. KUCINICH

Mr. KUCINICH. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KUCINICH:

Page 5, after line 8, insert the following:

(d) APPLICATION OF REQUIREMENTS TO CONGRESSIONAL COMMITTEES.—Section 306(g) of title 5, United States Code, as redesignated by subsection (c) of this section, is further amended by inserting after ''section 105,'' the following: ''and any committee of the House of Representatives or the Senate,''.

POINT OF ORDER

Mr. SESSIONS. Madam Chairman, I have a point of order.

The CHAIRMAN pro tempore. The gentleman will state his point of order.

Mr. SESSIONS. Madam Chairman, the amendment offered by the gentleman from Ohio (Mr. KUCINICH) violates clause 7, House Rule 16, which states, in pertinent part, that no motion or proposition on a subject different from that under consideration shall be deemed admitted under the color of amendment.

The amendment before the committee is not germane to the subject matter under consideration. The amendment would apply the Government Performance and Results Act to the legislative branch. GPRA, the Results Act, is a provision of law that only applies to the executive branch. Neither the bill before us nor the public law which it seeks to amend applies to the legislative branch.

The Precedents of the House suggest that amendments which bring the legislative branch within the ambient of bills with general accountability to the executive branch are not germane. Therefore, Madam Chairman, the amendment is not germane, and I insist on my point of order.

The CHAIRMAN pro tempore. Does the gentleman from Ohio wish to be heard on the point of order of the gentleman from Texas?

Mr. KUCINICH. Madam Chairman, yes, I do.

We had presented this amendment in hopes that a point of order would not be insisted on because we simply believe that Congress ought to be required to abide by the same laws which we would insist that the executive branch be required to abide by.

I thank the Chair.

The CHAIRMAN pro tempore. The Chair is prepared to rule.

The gentleman from Texas makes a point of order that the amendment offered by the gentleman from Ohio (Mr. KUCINICH) is not germane. The bill is considered as read and open to amendment at any point, so the test of germaneness is the relationship of the amendment to the bill as a whole.

The bill, H.R. 2883, seeks to alter what is required of Federal executive branch agencies in the area of strategic plans and performance reports. Specifically, the bill seeks to change agency responsibilities relating to content, submission and format of the strategic plan under the Government Performance and Results Act of 1993. The bill also prescribes additional responsibilities for the Inspector General of each agency and the Director of the Office of Management and Budget. In addition, the bill seeks to alter the submission requirements for certain agency financial statements.

The amendment offered by the gentleman from Ohio seeks to apply the requirements of the Government Performance and Results Act to entities in the legislative branch, specifically, the committees of the House and Senate.

Clause 7 of rule XVI of the rules of the House requires that an amendment

be germane to the proposition to which offered. As recorded on page 611 of the House Rules and Manual, a general principle of the germaneness rule is that an amendment must relate to the subject matter under consideration. The Chair will note a relevant precedent. In the 100th Congress, the Committee of the Whole was considering legislation requiring a study of pay practices of the executive branch. The Chair ruled that an amendment which would have extended the study to the legislative branch was not germane. This precedent is cited on page 620 of the House Rules and Manual and codified in Deschler-Brown Precedents, Volume 10, Chapter 28, section 13.8.

Corollary principle of the germaneness rule is that an amendment should be within the jurisdiction of the committee reporting the bill. The present bill was reported by and is confined to the jurisdiction of the Committee on Government Reform and Oversight. The amendment offered by the gentleman from Ohio addresses the applicability of the Government Performance and Results Act to entities of the legislative branch. The internal operation of the Congress falls within the jurisdiction of other committees of the House.

Accordingly, the amendment is not germane and the point of order is sustained.

The CHAIRMAN pro tempore. Are there other amendments?

AMENDMENT OFFERED BY MRS. MALONEY OF NEW YORK

Mrs. MALONEY of New York. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. MALONEY of New York:

Page 5, after line 8, insert the following:

(d) LIMITED APPLICABILITY TO FEDERAL RESERVE BOARD AND BANKS.—(1) Section 306(g) of title 5, United States Code (as redesignated by subsection (c)), is amended by inserting ''(including the Board of Governors of the Federal Reserve System and the Federal Reserve banks, but only with respect to operations and functions that are not directly related to the establishment and conduct of the monetary policy of the United States)'' after ''105''.

(2) Such section is further amended by adding at the end the following new subsection:

''(h) Notwithstanding subsections (a) and (b), the Board of Governors of the Federal Reserve System and the Federal Reserve banks shall not be required to submit a strategic plan under this section to the Director of the Office of Management and Budget.''.

Page 9, after line 2, insert the following:

(d) LIMITED APPLICABILITY TO FEDERAL RESERVE BOARD AND BANKS.—(1) Section 1115 of title 31, United States Code, is amended by adding at the end the following:

''(g) The Board of Governors of the Federal Reserve System and the Federal Reserve banks—

''(1) shall not be required to submit a performance plan to the Director of the Office of Management and the Budget under this section; and

''(2) shall submit to Congress, not later than March 1 of each year, a performance plan containing the information described in subsection (a), but only with respect to operations and functions that are not directly related to the establishment and conduct of the monetary policy of the United States.''.

(2) Section 1116 of such title is amended by adding at the end the following new subsection:

''(h) Notwithstanding subsection (a), the Federal Reserve Board and the Federal Reserve banks shall not be required to submit a report on program performance to the President under this section.''.

Mrs. MALONEY of New York (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Madam Chairman, our bipartisan amendment clarifies the intent of Congress that the Government Performance and Results Act should apply to the Federal Reserve System. The Federal Reserve has disputed this legal interpretation, but has so far agreed to voluntarily comply with all requirements of the Results Act. This amendment would simply make the congressional intent on coverage clearer.

This Congress, when they enacted this, intended it to cover all agencies. The Federal Reserve has claimed that they are unique because they are off-budget and so-called independent, yet all other independent agencies are covered, such as, to give two examples, FDIC and Social Security. The statutory language and history surrounding the Federal Reserve Act of 1913 makes it clear that the Federal Reserve is a creature of Congress and a Federal agency for all intents and purposes.

I believe, as well as the Office of Management and Budget and the General Accounting Office, that the Results Act does cover the Fed and, if fully implemented, would help improve Fed operations.

We have drafted our amendment to very carefully exclude monetary policy, yet a GAO report in 1996 said that approximately 90 percent of the Fed's activities and functions are not directly related to monetary policy. In fact, according to this report, 93 percent of the operating budget accounts for salaries and costs associated with supervision and regulation of banks and provision of payment services in the banking industry. That amounts to approximately $2 billion to $2.5 billion annually.

Earlier, the gentleman from Texas (Mr. SESSIONS) argued very eloquently that the Results Act should apply to all agencies, even if they were smaller than the threshold. I support him in that interpretation, and I appreciate his support in expanding this amendment to cover the Fed.

I would like to enter into the record this statement that clarifies our intent with the advice and consent of the chairman of the Committee on Banking and Financial Services, the gentleman from Iowa (Mr. LEACH); the gentleman from Texas (Mr. SESSIONS); the gentleman from Texas (Mr. BENTSEN); myself; and the gentleman from Ohio (Mr. NEY).

I want to make the intent of Congress completely clear. In no way should these reporting requirements be used to influence in any way monetary policy, and it expressly exempts monetary policy. OMB, with the language of this amendment, shall not dictate the way in which the Federal Reserve makes its report to Congress. And, thirdly, by this amendment we do not mean that each Federal Reserve Bank submit a separate report to Congress, but that the organizations submit unified reports, organization-wide reports.

Madam Chairman, I thank the chairman of the subcommittee, the gentleman from California (Mr. HORN) for his support, and the gentleman from Texas (Mr. SESSIONS) for his leadership and support, and the gentleman from Ohio (Mr. NEY) for cosponsoring this amendment with me.

Mr. KUCINICH. Madam Chairman, will the gentlewoman yield?

Mrs. MALONEY of New York. I yield to the gentleman from Ohio.

Mr. KUCINICH. Madam Chairman, I rise in strong support of the Maloney amendment and I commend the gentlewoman from New York for crafting a thoughtful and carefully considered change to this bill. This amendment clarifies that the Results Act applies to the Federal Reserve System, while preserving the traditional independence of the Fed from the executive branch.

When the Results Act first passed, the administration concluded that the Fed was a covered agency, and this was presumably the intent of Congress as well. The Fed has disputed this legal interpretation, but has agreed to voluntarily comply with the Act. The Maloney amendment would simply make this coverage clear, and I urge support.

Mr. NEY. Madam Chairman, I move to strike the last word.

Very briefly, Madam Chairman, I rise today in support of the amendment. The Government Performance and Results Act encourages greater efficiency and effectiveness. A lot of the points have been stressed. This is an amendment that accepts the Fed operations in regards to monetary policy. I just want to commend my colleague. This is a very good accountability amendment for the House. I want to praise her for her work on it and urge everyone to support it.

□ 1245

Mr. HORN. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I also commend the former ranking member (Mrs. MALONEY of New York) of the subcommittee. I think she, the gentleman from Ohio (Mr. NEY), the gentleman from Texas (Mr. SESSIONS), and all

those who have been involved in this, including the chairman of the Committee on Banking and Financial Services (Mr. LEACH) have done commendable work here. This is long overdue.

As I told the gentlewoman from New York (Mrs. MALONEY) several days ago, I strongly support her effort. The majority is delighted to accept it and put it in the bill.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from New York (Mrs. MALONEY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KUCINICH

Mr. KUCINICH. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KUCINICH:

Beginning on page 3, strike line 21 and all that follows through page 4, line 11.

Page 4, line 12, strike ''(c)'' and insert ''(b)''.

Mr. KUCINICH (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KUCINICH. Madam Chairman, the distinguished majority leader, the gentleman from Texas (Mr. ARMEY), in his eloquent presentation earlier, summed up his remarks by saying that you can teach an old dog new tricks. My response is, simply, do not beat that dog. Because what we are doing here is beating up on agencies which serve the people of this country, and when we ask them to do their plans all over again, we are wasting taxpayers' money.

This amendment, Madam Chairman, is simple and straightforward. It eliminates the bill's requirement that all Federal agencies' strategic plans should be resubmitted on September 30, 1998. The annual performance plans required by GPRA have only just begun arriving in Congress. Some will make changes to agencies' strategic plans.

It would be much better to absorb these annual plans fully before requiring the rewrite of all the strategic plans by this September. As a purely practical matter, it is now mid March. The best we can possibly expect from the Senate would be action toward the end of April. That would leave the agencies about 5 months to draft new plans, consult with Congress, and submit final strategic plans. That is simply not long enough.

Also, the submission of these plans this October, less than 6 weeks from election day, opens the door to a politicization of GPRA, which we have tried to avoid. At the Subcommittee on Government Management and Information Technology, on this legislation, not one of the witnesses testified in support of this universal resubmission requirement. It is my understanding, Madam Chairman, that in open committee we did not even take the opportunity to talk to each agency about their plans.

My amendment would save thousands of work hours and millions of dollars, millions of the taxpayers' dollars, in respect to the Federal agencies, time and money which would be better spent on productive activities, rather than repeating an exercise completed 6 months ago.

A more targeted approach would be much wiser. If some of the strategic plans were inadequate, then the appropriators and authorizers with direct jurisdiction can and they should request resubmission of those plans. That can happen under existing law. OMB testified that they would support such efforts.

Indeed, the existing OMB circular on GRPA states, ''Significant changes to a strategic plan should be made through a revision of the strategic plan, even if this accelerates,'' even if this accelerates, ''the required 3-year revision cycle. Minor adjustments to a strategic plan can be made in advance of a 3-year revision cycle by including these interim revisions in the annual performance plan.''

Madam Chairman, this guidance is fully consistent with the Government Performance and Reform Act. This process is proceeding. The Labor Department is proceeding with a complete revision of their strategic plan, and at least four other agencies, Interior, HHS, NASA, and Education, have made minor revisions through their annual performance plans.

So if Congress wants revisions of specific plans, it can certainly get them. If the authorizing or appropriating committees of jurisdiction made a request to an agency for a revision of their strategic plan, ample authority already exists for that to happen. Given the power of the purse exercised by Congress, it certainly would happen.

I would like to comment briefly on the concurrence of the administration with the scorecard that has been displayed, which has been implied by some. In the letter to the gentleman from California (Mr. WAXMAN), OMB makes clear this is not the case.

''The Office of Management and Budget has never developed or endorsed a scorecard approach. In particular, we have never endorsed specific scores, specific scoring techniques, or the weight given to different factors contained in a scorecard used by the House majority leadership.''

Even if we were to accept the scoring of these plans, which I certainly do not, it is important to note that they only examine 24 agencies out of the entire number. Yet under this bill, 76 agencies whose plans were not even looked at would have to completely redo them.

That is ridiculous. Again, it defies the test of logic. How can we reject something, sight unseen, unless we simply want to attack the entire Federal Government, without regard as to the proof which we would criticize, even not having seen it? In effect, this bill says to Federal agencies, we do not care how hard you may or may not have worked to develop sound strategic plans; everyone has to do them anyway. We penalize indiscriminately.

I would like to take this moment to thank the men and women of all the government agencies who are trying to do a job despite this kind of pressure, and ask them to continue to try to do better, and let them know that the American people do appreciate the service which they are rendering, and they do not deserve this kind of an attack with this legislation.

Mr. HORN. Madam Chairman, I move to strike the last word.

Madam Chairman, if adopted, this amendment essentially guts the bill. I ask every Member to disagree with this proposal. It makes absolutely no sense.

We are not saying every agency was wrong, but when we first reviewed the plans of 24 major agencies, there were very few that were above 50 out of a scale of 105. I am looking at the Social Security Administration. It moved from 62 to 68. That was a well-run organization 35 years ago when I was on the Senate staff. It still is.

Education moved from 60 to 73. In other words, they improved their plans. Some, however, will need to go over and look at practically every section. They have not answered basic questions that we asked or that are required under the 1993 law. We are trying to get them to face up to that.

Regrettably, when we tried to have a more targeted approach, we were told by a high official in the Office of Management and Budget that, ''We are not interested in that.'' Are they reflecting the President's views? I doubt it. Or is it just the fact that maybe some in OMB are a little stressed down there?

As the gentleman from Texas (Mr. SESSIONS) eloquently noted, private sector companies constantly revamp their strategic mission, goals, and tactics. The gentleman from Georgia (Mr. KINGSTON) brought that up about Coca-Cola. The Federal Government is not Coca-Cola. On the other hand, the Federal Government is a large organization and it is only as effective as its component parts. That is what we are talking about here.

No organization that wants to be successful and that is successful would pass up three years and do nothing on their basic strategic plan when they did not get it right in the first place. We simply want the agencies to get it right. We want them to get it right by September so the President can use those goals in submitting the next budget. If we wait three years, everybody will have an excuse why they cannot give us the data. We want to require that they give us and the President those data that we need.

I, frankly, find it just very difficult to believe that the Office of Management and Budget would oppose this bill. With Vice President GORE's efforts to reinvent government and make

agencies more businesslike, we wonder what he is doing about this. If I were he I would be begging to do this. I cannot imagine a high official in any administration letting a staff get away with not doing what the law requires—a law which was enacted on a bipartisan basis.

That is where we are. I ask that this amendment be defeated.

Mrs. MALONEY of New York. Madam Chairman, I move to strike the last word.

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Madam Chairman, I rise in support of the Kucinich amendment resubmission requirement. The underlying bill, unfortunately, is the antithesis of the Results Act. Rather than streamlining government, it will require agencies to repeat the work they have just completed.

This bill will create the very waste and duplication in our government that the bill purports to eliminate.

In 1993, a Democratic Congress and a Democratic administration began an effort to reinvent our government—to make it more efficient and responsive to the American people. As a part of that effort, we passed the Government Performance and Results Act, or ''GPRA.'' This legislation had overwhelming bipartisan support. We asked agencies to undertake strategic planning and timely performance evaluations so that we could streamline government and make it more efficient.

This bill, unfortunately, is the antithesis of GPRA. Rather than streamlining government, it will require agencies to repeat the work they've just completed.

Those agencies covered by GPRA—over 100 of them—have submitted their strategic plans to Congress and the Administration. According to the General Accounting Office, a non-partisan Congressional office, ''On the whole, agencies' plans appear to provide a workable foundation for Congress to use in helping to fulfill its appropriations, budget, authorization, and oversight responsibilities and . . . for the continuing implementation of the [GPRA].'' And the Office of Management and Budget testified before the Government Management, Information, and Technology subcommittee that they agreed with the GAO's assessment.

If the GAO and OMB believe that these are workable strategic plans, why are we considering a bill that would require these agencies to submit new plans just a few months after the original plans were submitted.

The Republicans claim that the agencies' plans are not sufficient. I have no doubt that some of the agency plans can be improved, but scrapping all of the plans is a blunderbuss that would waste taxpayer dollars. We should not ''fail'' these agencies just because we don't like what they have to say. If we have problems with these plans, then we should work with these agencies to bring their plans up to speed. We should not just tell them we don't like it and tell them to do it over. That will accomplish nothing: the majority is liable to not like the new plans, either. What are they going to do then?

This amendment addresses these problems. It strikes the bill's requirement that all federal agencies revise and resubmit their strategic plans to Congress by the end of FY 1998, thereby giving Congress and the agencies sufficient time to work on improvements before the next plan must be submitted in two more years.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The amendment was rejected.

The CHAIRMAN pro tempore. Are there other amendments to the bill?

AMENDMENT OFFERED BY MR. HORN

Mr. HORN. Madam Chairman, I offer an amendment, which is a technical amendment.

The Clerk read as follows:

Amendment Offered by Mr. HORN:

Page 7, line 24, strike ''to the Congress and''.

Page 7, line 25, after the period insert the following new sentence:

In the case of reviews by an agency inspector general, such submission shall be made as part of the semiannual reports required under section 5 of the Inspector General Act of 1978. Not later than 30 days after the date of the submission of the review plan to the agency head under this subsection, the agency head shall submit the review plan to Congress.

Page 8, line 5, strike ''and the Congress''.

Page 8, line 10, after the period insert the following new sentence:

Not later than 30 days after the date of the submission of the findings, results, and recommendations to the head of the agency under this subsection, the agency head shall submit the findings, results, and recommendations to Congress.

Mr. HORN (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HORN. Madam Chairman, this is, I believe, unanimously supported by both majority and minority. It was brought to the attention of the Committee on Government Reform and Oversight after the legislation was reported to the House that the submission dates drafted in the section of the bill dealing with the role of the Inspectors General were incorrect and needed to be brought into conformance with the existing law.

When the Inspectors General discovered that, they contacted our staff, and this is the technical amendment. It is not a substantive change. I understand it has the support of leadership on the other side of the aisle. I ask that this be adopted without further debate.

Mr. KUCINICH. Madam Chairman, will the gentleman yield?

Mr. HORN. I yield to the gentleman from Ohio.

Mr. KUCINICH. Madam Chairman, I simply want to say that I want to thank the chairman. This is, indeed, a technical amendment made at the request of the Inspectors General.

I have had the opportunity to review it, and we have no objection to its adoption.

Mr. HORN. Madam Chairman, I thank the gentleman for that.

Before asking that we have a rollcall on the final vote, I will include in the RECORD our thanks to both majority staff and minority staff members who have worked on this legislation. I am sure my colleague will want to read the minority staff that were involved.

The majority staff who helped with the bill were, from the full committee on Government Reform and Oversight: Daniel Moll, the Deputy Staff Director; Jane Cobb, Professional Staff Member; William Moschella, the Deputy Counsel and Parliamentarian.

From the Office of the Majority Leader, the gentleman from Texas (Mr. ARMEY), we had Ginni Thomas and Jaylene Hobrecht.

From the Subcommittee on Government Management, Information and Technology which I chair: Staff Director and Chief Counsel J. Russell George; Dianne Guensberg, Professional Staff Member, on loan from the General Accounting Office; Robert Alloway, Professional Staff Member; Matthew Ebert, Clerk; and David Coher, a U.S.C. student working in Washington, D.C., for a semester, and doing very fine work with us.

From the Office of the Representative PETE SESSIONS, chairman of the Results caucus: Robert Shea, Legislative Director.

Madam Chairman, I yield to the gentleman from Ohio (Mr. KUCINICH), the ranking member of the subcommittee, for the listing of their staff.

Mr. KUCINICH. Madam Chairman, I appreciate the gentleman yielding, and his work on this, and I look forward to continuing work with him. We may have differences of opinion, but I have a great deal of respect for his approach to things. I am grateful to the ranking member of the committee on which he is the chair.

Madam Chairman, I would like to thank our Democratic staff, Phil Schiliro, Phil Barnett, Mark Stephenson, David Sadkin of the committee, and Julie Moses of my personal staff. As Members of Congress will understand, we are able to be present here engaged in this debate because of the remarkable work of individuals who pour their hearts and souls into providing us with this information, much the same way as the Federal employees in the agencies do.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California (Mr. HORN).

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there other amendments?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

□ 1300

Accordingly the Committee rose; and the Speaker pro tempore (Mr. PETRI)

having assumed the chair, Mrs. EMERSON, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 2883) to amend provisions of law enacted by the Government Performance and Results Act of 1993 to improve Federal agency strategic plans and performance reports, pursuant to House Resolution 384, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. KUCINICH. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 242, nays 168, not voting 20, as follows:

[Roll No. 50]

YEAS—242

Aderholt	Christensen	Fowler
Archer	Coble	Fox
Armey	Coburn	Franks (NJ)
Bachus	Collins	Frelinghuysen
Baesler	Combest	Gallegly
Baker	Condit	Ganske
Ballenger	Cook	Gekas
Barr	Cooksey	Gibbons
Barrett (NE)	Cox	Gilchrest
Bartlett	Cramer	Gillmor
Barton	Crane	Gilman
Bass	Crapo	Goode
Bateman	Cubin	Goodlatte
Bereuter	Cunningham	Goodling
Bilbray	Danner	Graham
Bilirakis	Davis (VA)	Granger
Bliley	Deal	Green
Blunt	DeLay	Greenwood
Boehlert	Diaz-Balart	Gutknecht
Boehner	Dickey	Hall (OH)
Bonilla	Doggett	Hall (TX)
Brady	Doolittle	Hansen
Bryant	Dreier	Hastert
Burr	Duncan	Hastings (WA)
Burton	Dunn	Hayworth
Buyer	Ehlers	Hefley
Callahan	Ehrlich	Herger
Calvert	Emerson	Hill
Camp	English	Hilleary
Campbell	Ensign	Hobson
Canady	Everett	Hoekstra
Cannon	Ewing	Horn
Castle	Fawell	Hostettler
Chabot	Foley	Houghton
Chambliss	Forbes	Hulshof
Chenoweth	Fossella	Hunter
Hyde	Nethercutt	Shaw
Inglis	Neumann	Shays
Istook	Ney	Shimkus
Jenkins	Northup	Shuster
Johnson (CT)	Norwood	Sisisky
Johnson, Sam	Nussle	Skeen
Jones	Oxley	Skelton
Kasich	Packard	Smith (MI)
Kelly	Pappas	Smith (NJ)
Kim	Parker	Smith (OR)
King (NY)	Paul	Smith (TX)
Kingston	Paxon	Smith, Linda
Klug	Pease	Snowbarger
Knollenberg	Peterson (PA)	Solomon
Kolbe	Petri	Souder
LaHood	Pickering	Spence
Largent	Pickett	Stabenow
Latham	Pitts	Stearns
LaTourette	Pombo	Stenholm
Lazio	Porter	Stump
Leach	Portman	Sununu
Lewis (CA)	Pryce (OH)	Talent
Lewis (KY)	Quinn	Tauzin
Linder	Radanovich	Taylor (MS)
Livingston	Ramstad	Taylor (NC)
LoBiondo	Regula	Thomas
Lucas	Riggs	Thornberry
Luther	Riley	Thune
Maloney (CT)	Rivers	Tiahrt
Manzullo	Rogan	Traficant
McCarthy (MO)	Rogers	Upton
McCollum	Rohrabacher	Walsh
McCrery	Ros-Lehtinen	Wamp
McDade	Roukema	Watkins
McHugh	Royce	Watts (OK)
McInnis	Ryun	Weldon (FL)
McIntosh	Salmon	Weldon (PA)
McIntyre	Sanford	Weller
McKeon	Saxton	White
Metcalf	Scarborough	Whitfield
Mica	Schaefer, Dan	Wicker
Miller (FL)	Schaffer, Bob	Wolf
Moran (KS)	Sensenbrenner	Young (AK)
Morella	Sessions	Young (FL)
Myrick	Shadegg	

NAYS—168

Abercrombie	Gejdenson	Millender-McDonald
Ackerman	Gordon	Miller (CA)
Allen	Gutierrez	Minge
Andrews	Hamilton	Mink
Baldacci	Hastings (FL)	Moakley
Barcia	Hefner	Mollohan
Barrett (WI)	Hilliard	Moran (VA)
Becerra	Hinchey	Murtha
Bentsen	Holden	Neal
Berry	Hooley	Oberstar
Bishop	Hoyer	Obey
Blagojevich	Jackson (IL)	Olver
Blumenauer	Jackson-Lee (TX)	Ortiz
Bonior	Jefferson	Owens
Borski	Johnson (WI)	Pallone
Boswell	Johnson, E.B.	Pascrell
Boucher	Kanjorski	Pastor
Boyd	Kaptur	Payne
Brown (FL)	Kennedy (MA)	Pelosi
Brown (OH)	Kennedy (RI)	Peterson (MN)
Cardin	Kennelly	Pomeroy
Carson	Kildee	Price (NC)
Clay	Kilpatrick	Rahall
Clayton	Kind (WI)	Rangel
Clement	Kleczka	Reyes
Clyburn	Klink	Rodriguez
Conyers	Kucinich	Roemer
Costello	LaFalce	Rothman
Coyne	Lampson	Roybal-Allard
Davis (FL)	Lantos	Rush
Davis (IL)	Levin	Sabo
DeFazio	Lewis (GA)	Sanders
DeGette	Lipinski	Sandlin
Delahunt	Lowey	Sawyer
DeLauro	Maloney (NY)	Schumer
Deutsch	Manton	Scott
Dicks	Markey	Serrano
Dingell	Martinez	Sherman
Dixon	Mascara	Skaggs
Dooley	Matsui	Slaughter
Edwards	McCarthy (NY)	Smith, Adam
Engel	McDermott	Snyder
Eshoo	McGovern	Spratt
Etheridge	McHale	Stark
Evans	McKinney	Stokes
Farr	McNulty	Strickland
Fattah	Meehan	Stupak
Fazio	Meek (FL)	Tauscher
Filner	Meeks (NY)	Thompson
Ford	Menendez	Thurman
Frank (MA)	Millender-McDonald	Tierney
Frost	Miller (CA)	Torres
	Minge	Towns
	Mink	Turner
	Moakley	Velazquez
	Mollohan	Vento
	Moran (VA)	Visclosky
	Murtha	Waters
	Neal	Watt (NC)
	Oberstar	Waxman
	Obey	Wexler
	Olver	Weygand
	Ortiz	Wise
	Owens	Woolsey
	Pallone	Wynn
	Pascrell	Yates
	Pastor	
	Payne	
	Pelosi	
	Peterson (MN)	
	Pomeroy	
	Price (NC)	
	Rahall	
	Rangel	
	Reyes	
	Rodriguez	
	Roemer	
	Rothman	
	Roybal-Allard	
	Rush	
	Sabo	
	Sanders	
	Sandlin	
	Sawyer	
	Schumer	
	Scott	
	Serrano	
	Sherman	
	Skaggs	
	Slaughter	
	Smith, Adam	
	Snyder	
	Spratt	
	Stark	
	Stokes	
	Strickland	
	Stupak	
	Tauscher	
	Thompson	
	Thurman	
	Tierney	
	Torres	
	Towns	
	Turner	
	Velazquez	
	Vento	
	Visclosky	
	Waters	
	Watt (NC)	
	Waxman	
	Wexler	
	Weygand	
	Wise	
	Woolsey	
	Wynn	
	Yates	

NOT VOTING—20

Berman	Gonzalez	Nadler
Brown (CA)	Goss	Poshard
Bunning	Harman	Redmond
Cummings	Hinojosa	Sanchez
Doyle	Hutchinson	Schiff
Furse	John	Tanner
Gephardt	Lofgren	

□ 1321

Mr. MOAKLEY and Mr. HEFNER changed their vote from ''yea'' to ''nay.''

Mr. LUTHER and Ms. RIVERS changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CUMMINGS. Mr. Speaker, on rollcall number 50, my vote on the bill, H.R. 2883, the Government Performance Results Act amendments was not recorded, as there was a computer malfunction in the recording device. Today, I was present for all recorded votes in the House.

Had the computer accurately recorded my vote, it would have been a ''no'' vote on final passage.

I ask for unanimous consent that my statement appear in the RECORD immediately following that rollcall vote.

GENERAL LEAVE

Mr. SESSIONS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2883, the bill just passed.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentleman from Texas?

There was no objection.

TUCKER ACT SHUFFLE RELIEF ACT OF 1997

The SPEAKER pro tempore (Mr. THOMAS). Pursuant to House Resolution 382 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 992.

□ 1323

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 992) to end the Tucker Act shuffle, with Mrs. EMERSON (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on

Wednesday, March 11, 1998, pending was the amendment by the gentleman from North Carolina (Mr. WATT).

Pursuant to the order of the House of that day, no further debate or amendment to the committee amendment in nature of a substitute shall be in order except for the pending amendment, which shall be debatable for 20 minutes.

The gentleman from North Carolina (Mr. WATT) and a Member opposed, the gentleman from Texas (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. WATT).

Mr. WATT of North Carolina. Madam Chairman, I yield myself 30 seconds for the benefit of explaining to the Members where we are in the process so that people will know what we are doing.

We debated this bill yesterday and had part of the debate on the Watt-Rothman amendment yesterday. We now have 10 minutes on each side to further debate the Watt-Rothman amendment. Then there will be a vote on the Watt-Rothman amendment, and then a vote on final passage, for those who are trying to schedule their time at this point.

Madam Chairman, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Chairman, I yield myself such time as I may consume, and I rise in opposition to this amendment.

The issues today are about equity and fairness. Every homeowner and property owner across America deserves to have their day in court and in the court that is best for them. An individual who seeks to contest a governmental taking must deal with unreasonable obstacles and costs in negotiating their way through the legal maze of the Tucker Act. Current law denies the Court of Federal Claims authority to hear claims for injunctive relief and denies the U.S. district courts the authority to hear claims for monetary relief over $10,000.

The Federal Government often says that property owners have sued in the wrong court, bouncing property owners back and forth between the two courts. Some argue we should end the Tucker Act shuffle by giving only U.S. district courts the ability to grant complete relief in takings cases. But why should we disregard the Court of Federal Claims' expertise or its large body of case law and deny the court the ability to hearing takings claims for both monetary and equitable relief?

Property owners have the right to be heard either in the Court of Claims or in the U.S. district court. Why not give property owners the option of going to the court that they think is best? If the property owner wants to pursue their claim in a court close to home, the property owner can choose a district court. If the owner wants to utilize the expertise of a specialized court, the owner can choose the Court of Federal Claims. We should make it as easy as possible for property owners to have their claims heard.

There has been a concern voiced about giving an Article III court's powers to an Article I court; that it would somehow be unconstitutional. But the answer is that both courts are clearly constitutional. Furthermore, the bill directs that all appeals, whether from the U.S. district court or the Court of Federal Claims, will go to the same Court of Appeals for the Federal Circuit, an Article III court. The Constitution clearly allows Congress to provide the Court of Federal Claims with the power of providing relief in takings cases.

□ 1330

First, each Federal court, whether an Article I court or an Article III court, has the inherent authority and duty to disregard unconstitutional statutes and regulations. In IBM vs. U.S., the Federal Circuit recently affirmed a ruling by the Court of Federal Claims declaring a Federal tax statute to be unconstitutional.

Second, the Court of Federal Claims already has the power to grant injunctive relief in various areas, which today total 40 percent of its current docket load. And third, the recent Supreme Court cases of Northern Pipeline Construction Company vs. Marathon Pipeline Company, and Commodity Futures Trading Commission vs. Schor, both signal Congress' ability to give the Court of Federal Claims the power to grant total relief in takings cases.

Private property owners should have the option and the opportunity to assert their constitutional rights in the court of their choice without being treated like a Ping-Pong ball. Every property owner in America has the right to obtain a timely resolution, one way or the other, of their takings claims. They deserve to have their day in court and in the right court, the court of their choice.

There are some, and I certainly do not put my friend from North Carolina in this category, but there are some who say they are for property rights. What they mean is they are for property rights in the abstract; they are for property rights theoretically; and they are for property rights idealistically. But when it comes to relevant people with real problems, and we have abundant examples of horror stories, when it comes to real people with real problems, somehow these theoretical abstract property rights supporters can never be found.

H.R. 992 is a fair, straightforward, common-sense way to get every property owner across America their right to choose the court that they think is best for their claim, either the Claims Court or the Federal District Court; and this amendment would destroy that option that every property owner in America should have. Madam Chairman, I urge my colleagues to vote against this amendment.

Madam Chairman, I reserve the balance of my time.

Mr. WATT of North Carolina. Madam Chairman, I yield 30 seconds to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Madam Chairman, this could be a very good bill, but only if the Watt/Rothman amendment does pass. People who have had their land taken clearly should have it resolved in one court. But that court is not the Court of Federal Claims, it is the U.S. District Court.

The Watt/Rothman amendment sends it to the U.S. District Court, accomplishes the efficiency, the fairness that people are looking for. If Watt/Rothman passes, I would strongly support this bill. But a lot of people understand that if the only court you can go to is the Court of Federal Claims, this will not be a good bill and will have to vote against it.

Mr. SMITH of Texas. Madam Chairman, I reserve the balance of my time.

Mr. WATT of North Carolina. Madam Chairman, I yield 4 minutes to the gentleman from New Jersey (Mr. Rothman).

Mr. ROTHMAN. Madam Chairman, I rise today in strong support of the Watt/Rothman amendment to H.R. 992. I want to begin by saying thank you and congratulations to my colleague, the gentleman from Texas (Mr. SMITH), for identifying this problem that has caused private property owners so much heartache and expense.

I do want to say also, though, with respect to my colleague from Texas, that the solution that he offers, in my judgment, is unconstitutional. The problem here we are talking about arises in Federal cases involving the taking of land without just compensation. The question is how do we solve the problem? Do we solve the problem in what might arguably be an unconstitutional way?

There are laypeople and experts who say that this solution, H.R. 992, is unconstitutional. Or do we solve the problem in an elegant, simple, and completely effective way that happens to be perfectly constitutional?

Last October, along with many of my colleagues from both parties, I voted in favor of H.R. 1534, the Private Property Rights Implementation Act. I did so proudly. H.R. 1534 was important because it cut years of delay from Federal takings proceedings that kept people from having their day in court.

However, notwithstanding H.R. 1534, there still remains an unjustifiable shuffle within the Federal court system that people must go through in order to get their Federal takings claims resolved. These property owners are being shuffled between the U.S. District Court and the Court of Federal Claims when they bring suit against the Federal Government after their property has been taken without just compensation.

But the problem with H.R. 992, with respect, is that the solution to this shuffling problem gives broad powers that are normally reserved for the judicial branch courts, Article III courts,

and instead gives them to the Court of Federal Claims, an Article I court, whose judges happen to be appointed for a period of years as opposed to the lifetime appointments of the Federal District Court judges.

As you might imagine, these lifetime points of the Federal District Court judges allow the judges to have a much more impartial attitude regarding all cases, especially keeping them from the kind of political pressure that we all feel is inappropriate in Federal cases.

For those Members who want to get rid of the shuffle that private property owners seeking relief are now being required to go through, there is a perfectly complete and constitutional solution to that problem. That is the Watt/Rothman amendment to H.R. 992.

Our amendment is very simple. It says, if one is concerned about getting shuffled around the Federal court system in order to get their private property rights heard, their claims heard, they would now, under the Watt/Rothman amendment, be able to challenge the validity of the Federal statute authorizing the taking, have all other related claims heard, and receive compensation as well as any and all other remedies entirely with the one court, the Federal District Court. There would be no shuffling. The problem would be solved completely, elegantly, efficiently, and without any question, constitutionally.

So the question is, why do it any other way; why do it in a manner that is subject to constitutional attack? If we are really all about giving private property owners who have claims a clear and immediate chance to avoid the shuffling between courts, why would we vote for a bill, H.R. 992, that raises constitutional questions, is almost certainly to be challenged in court, and be defeated in court as unconstitutional, when there is available the Watt/Rothman amendment that is perfectly constitutional and eliminates the shuffling problem?

That is why I urge all my colleagues, if they really care about private property rights claims to help homeowners, to help business people and others who are making private property claims in Federal court, vote for the Watt/Rothman amendment. It is constitutional and it works.

Mr. SMITH of Texas. Madam Chairman, I yield myself 30 seconds.

Madam Chairman, let me respond very briefly to my friend from New Jersey and say that the constitutional problems that he raised are just in the eyes of the beholder, just himself and a few others. They are certainly not in the eyes of judges or other courts who have ruled on this issue.

I mentioned a while ago one case, the IBM versus United States case, where the Federal circuit recently affirmed a ruling by the Court of Federal Claims declaring a Federal tax statute to be unconstitutional. Clearly, the court is saying that the Court of Claims can so rule.

I have also mentioned the Northern Pipeline Construction Company, which is a recent Supreme Court case, as well as the Commodity Futures Trading Commission case, which was also a recent Supreme Court case.

Both of those cases put up tests that could be met by the Court of Claims, and any ruling that it would make in regard to the Fifth Amendment taking claims would clearly be constitutional.

If the plain language of the Supreme Court cases is not clear to my friends, I am happy for the judges to stand corrected, but that is a constitutional court, the Court of Claims.

Madam Chairman, I reserve the balance of my time.

Mr. WATT of North Carolina. Madam Chairman, might I inquire how much time remains on each side?

The CHAIRMAN pro tempore. The gentleman from Texas (Mr. SMITH) has 5 minutes remaining, and the gentleman from North Carolina (Mr. WATT) has 5 minutes remaining.

Mr. WATT of North Carolina. Madam Chairman, I yield myself as much time as I may consume.

Madam Chairman, let me first say to my colleagues what this dispute is not about. First of all, both sides of the aisle, the gentleman from Texas (Mr. SMITH) and I agree that shuffling private citizens back and forth between two courts is not acceptable.

I understand the historical reason that it was done. In fact, it was done because the Court of Federal Claims could have jurisdiction over the claims part of an issue, but they did not have the constitutional authority to declare statutes unconstitutional.

So the reason that we have this two-party arrangement now, where the Court of Federal Claims has part of the jurisdiction and the U.S. District Court has part of the jurisdiction, is for the very constitutional reason that I am offering this amendment. But both of us agree that that should be eliminated.

This is not about taking jurisdiction away from the U.S. Court of Federal Claims. I would love for them to have jurisdiction over this matter. If they had the constitutional authority to deal with it, it would not matter to me who had jurisdiction over the issue.

So why are we here? We are trying to find a solution which is a constitutional solution. Why is that important? Go back to the founding of our country when our Constitution was first written. The Founding Fathers wrote this: That King George has made judges dependent on his will alone for the tenure of their offices and the amount of payment of their salaries.

That was unacceptable to the Founding Fathers. That is why they set up an independent judiciary in our country, so that we would not have to address that issue.

They set up some other courts, like the Court of Federal Claims. Yes, it is a good court. No problem with the court. But they did not give the judges over there lifetime tenure and guaranteed salaries that separates them out and gives them independence on these issues. They just do not have that authority.

So we are trying to find a place that we can send private property takings and all of the issues related to those private property takings where they can get a constitutional hearing in one location. The only place to do that is the United States District Court, because it is an Article III court set up under the Constitution for that kind of purpose.

It makes you wonder why my colleagues on the other side might be favoring giving this responsibility to the Court of Federal Claims. There are two theories I have. Either they want the issue more than they want a solution; that is one possibility. The other possibility is that all 14 judges on the Court of Federal Claims are Reagan/Bush appointees. And 11 out of the 13 appeals judges are Reagan/Bush appointees. So all of a sudden, this becomes a political issue rather than a problem to be solved, which is what we should be about in this body.

The President has said, the administration has said that they are going to recommend aggressively that this bill be vetoed if it is passed in an unconstitutional form such as the one now. They have said we will sign this bill if the Watt/Rothman amendment is passed.

Environmental groups, others who have opposed this bill have said, we encourage people to vote for the bill if the Watt/Rothman amendment is passed. It will solve the problem. It will repose the responsibility in a constitutional court.

That is what we thought we were striving to do, to solve the problem. But there are some people in this body who would rather have the issue to complain about and raise it at that level than they would to solve the problem.

I ask my colleagues to support this amendment, make this bill vetoproof. Let us get it passed. Let us solve the problem and quit worrying about where the issue is.

Mr. SMITH of Texas. Madam Chairman, I yield myself 15 seconds.

Madam Chairman, I just simply want to urge my opponents to read the Supreme Court cases that I mentioned a minute ago. If they did, I am sure they would understand why this bill is absolutely constitutional.

Madam Chairman, I yield 1 minute to my friend, the gentleman from Ohio (Mr. CHABOT).

☐ 1345

Mr. CHABOT. Madam Chairman, I rise to oppose this amendment.

The main purpose of this legislation is to give those who feel that their property has been taken by an action of the Federal Government the ability to file a single suit in a single Federal court of their choice, either the court

of claims or the Federal district court. This amendment would take that choice away and force them to file in a district court, requiring them to forgo the expertise of the court of claims.

Under current law, when a person believes that they have suffered a taking by the Federal Government, they face an unfair decision that makes them choose between compensation and putting a stop to the action. Although this amendment represents a step in the right direction when compared to the current law, it should be rejected in favor of the broader step taken in the underlying legislation.

Finally, Madam Chairman, I would like to thank the gentleman from Texas (Mr. SMITH) for his perseverance in pushing this legislation to help those who are already burdened by uncompensated takings to get their day in court. I am proud to have cosponsored this important legislation.

Mr. SMITH of Texas. Madam Chairman, I yield myself the balance of my time.

Once again, I want to say to my colleagues and reassure them that H.R. 992 is a fair, straightforward, commonsense way to give every property owner across America their right to choose the court that they think is best for their claim, either the claims court or the Federal district court. This amendment again would destroy that option.

If we support giving private property owners their day in court, if we believe property owners, not the Federal Government, should choose the court that hears their case, if we believe that property owners do not deserve to be treated like a ping-pong ball and shuffled back and forth between courts, if we believe in fairness and equity, then I encourage my colleagues on both sides of the aisle to vote for this fair, straightforward, common-sense bill and support the right of every property owner across America to have their day in court and in the court that is best for them.

Madam Chairman, I have made a good-faith effort over the last 2 days to address the concerns of my colleagues that we not affect in any way environmental laws. With the adoption of the amendment that I offered last night during our debate, this bill does not affect those laws or preempt them in any way. I urge my colleagues who had concerns to vote for H.R. 992 with my amendment to protect environmental laws and to vote no on the administration's amendment offered by the gentleman from North Carolina (Mr. WATT).

Among many organizations, the Chamber of Commerce, the realtors and the homebuilders support this legislation and oppose this amendment. I urge a strong bipartisan vote in opposition to this amendment and in favor of the underlying bill.

Madam Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mrs. EMERSON). The question is on the amendment in the nature of a substitute offered by the gentleman from North Carolina (Mr. WATT).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. WATT of North Carolina. Madam Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 206, noes 206, not voting 19, as follows:

[Roll No. 51]

AYES—206

Abercrombie	Hamilton	Oberstar
Ackerman	Hastings (FL)	Obey
Allen	Hefner	Olver
Andrews	Hilliard	Ortiz
Baesler	Hinchey	Owens
Baldacci	Hinojosa	Pallone
Barrett (WI)	Holden	Pappas
Bass	Hooley	Pascrell
Becerra	Horn	Pastor
Bentsen	Hoyer	Payne
Bilbray	Jackson (IL)	Pelosi
Bishop	Jackson-Lee (TX)	Pomeroy
Blagojevich	Jefferson	Porter
Blumenauer	Johnson (CT)	Price (NC)
Boehlert	Johnson (WI)	Rahall
Bonior	Johnson, E. B.	Ramstad
Borski	Kanjorski	Reyes
Boucher	Kaptur	Rivers
Boyd	Kelly	Rodriguez
Brown (FL)	Kennedy (MA)	Ros-Lehtinen
Brown (OH)	Kennedy (RI)	Rothman
Campbell	Kennelly	Roukema
Cardin	Kildee	Roybal-Allard
Carson	Kilpatrick	Rush
Castle	Kind (WI)	Sabo
Clay	Kleczka	Sanders
Clayton	Klink	Sandlin
Clyburn	Klug	Sanford
Conyers	Kolbe	Sawyer
Coyne	Kucinich	Saxton
Cummings	LaFalce	Schumer
Davis (FL)	LaHood	Scott
Davis (IL)	Lampson	Serrano
DeFazio	Lantos	Shays
DeGette	Leach	Sherman
Delahunt	Levin	Skaggs
DeLauro	Lewis (GA)	Skelton
Deutsch	LoBiondo	Slaughter
Diaz-Balart	Lowey	Smith (NJ)
Dicks	Luther	Smith, Adam
Dingell	Maloney (CT)	Snyder
Dixon	Maloney (NY)	Spratt
Doggett	Manton	Stabenow
Dooley	Markey	Stark
Doyle	Martinez	Stokes
Ehlers	Mascara	Strickland
Engel	McCarthy (MO)	Stupak
Eshoo	McCarthy (NY)	Tauscher
Etheridge	McDermott	Thompson
Evans	McGovern	Thurman
Ewing	McHale	Tierney
Farr	McIntyre	Torres
Fattah	McKinney	Towns
Fawell	McNulty	Upton
Fazio	Meehan	Velazquez
Filner	Meek (FL)	Vento
Forbes	Meeks (NY)	Visclosky
Ford	Menendez	Walsh
Fox	Millender-McDonald	Waters
Frank (MA)	Miller (CA)	Watt (NC)
Frelinghuysen	Minge	Waxman
Frost	Mink	Weldon (PA)
Gejdenson	Moakley	Wexler
Gilchrest	Mollohan	Weygand
Gilman	Moran (VA)	Wise
Gordon	Morella	Woolsey
Green	Murtha	Wynn
Greenwood	Neal	Yates
Gutierrez		
Hall (OH)		

NOES—206

Aderholt	Barr	Bilirakis
Archer	Barrett (NE)	Bliley
Armey	Bartlett	Blunt
Bachus	Barton	Boehner
Baker	Bateman	Bonilla
Ballenger	Bereuter	Boswell
Barcia	Berry	Brady
Bryant	Hayworth	Pickering
Burr	Hefley	Pickett
Burton	Herger	Pitts
Buyer	Hill	Pombo
Callahan	Hilleary	Portman
Calvert	Hobson	Pryce (OH)
Camp	Hoekstra	Quinn
Canady	Hostettler	Radanovich
Cannon	Houghton	Regula
Chabot	Hulshof	Riggs
Chambliss	Hunter	Riley
Chenoweth	Hutchinson	Roemer
Christensen	Hyde	Rogan
Clement	Inglis	Rogers
Coble	Istook	Rohrabacher
Coburn	Jenkins	Royce
Collins	Johnson, Sam	Ryun
Combest	Jones	Salmon
Condit	Kasich	Scarborough
Cook	Kim	Schaffer, Bob
Cooksey	King (NY)	Sensenbrenner
Costello	Kingston	Sessions
Cox	Knollenberg	Shadegg
Cramer	Largent	Shaw
Crane	Latham	Shimkus
Crapo	LaTourette	Shuster
Cubin	Lazio	Sisisky
Cunningham	Lewis (CA)	Skeen
Danner	Lewis (KY)	Smith (MI)
Davis (VA)	Linder	Smith (OR)
Deal	Lipinski	Smith (TX)
DeLay	Livingston	Smith, Linda
Dickey	Lucas	Snowbarger
Doolittle	Manzullo	Solomon
Dreier	Matsui	Souder
Duncan	McCollum	Spence
Dunn	McCrery	Stearns
Edwards	McDade	Stenholm
Ehrlich	McHugh	Stump
Emerson	McInnis	Sununu
English	McIntosh	Talent
Ensign	McKeon	Tauzin
Everett	Metcalf	Taylor (MS)
Foley	Mica	Taylor (NC)
Fossella	Miller (FL)	Thomas
Fowler	Moran (KS)	Thornberry
Franks (NJ)	Myrick	Thune
Gallegly	Nethercutt	Tiahrt
Ganske	Neumann	Traficant
Gekas	Ney	Turner
Gibbons	Northup	Wamp
Gillmor	Norwood	Watkins
Gingrich	Nussle	Watts (OK)
Goode	Oxley	Weldon (FL)
Goodlatte	Packard	Weller
Goodling	Parker	White
Graham	Paul	Whitfield
Granger	Paxon	Wicker
Gutknecht	Pease	Wolf
Hall (TX)	Peterson (MN)	Young (AK)
Hansen	Peterson (PA)	Young (FL)
Hastings (WA)	Petri	

NOT VOTING—19

Berman	Harman	Redmond
Brown (CA)	Hastert	Sanchez
Bunning	John	Schaefer, Dan
Furse	Lofgren	Schiff
Gephardt	Nadler	Tanner
Gonzalez	Poshard	
Goss	Rangel	

☐ 1411

Messrs. TAYLOR of Mississippi, WHITE, and LIVINGSTON, and Ms. DANNER changed their vote from ''aye'' to ''no.''

Messrs. ORTIZ, FROST and JEFFERSON changed their vote from ''no'' to ''aye.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mrs. EMERSON). The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

Mr. NETHERCUTT. Mr. Chairman, I rise today in support of H.R. 992, the Tucker Act

Shuffle Relief Act, introduced by my colleague from Texas, Mr. SMITH.

The Tucker Act Shuffle Relief Act would bring clarity to the legal process for landowners who make property rights claims under the Fifth Amendment to the Constitution. As we all know, the Fifth Amendment requires that no person be deprived of property without the due process of law, nor shall private property be taken for pubic use without just compensation.

As I have listened to the debate, I do not believe there is disagreement over the need for just or fair compensation. However, there is disagreement over the best way to ensure the rights of private property owners are protected.

Mr. Speaker, I believe the Tucker Act is needed because of the procedural nightmares many private property owners face when seeking judicial relief from any outright taking of land or its restriction of use by a federal agency or regulation. Under current law, a claim must be made in two separate federal courts, U.S. Court of Federal Claims (CFC) and a federal district court. The CFC will hear the money claims against the U.S. government while district courts will address the legality of the federal action. This jurisdictional split has been called by many the ''Tucker Act Shuffle.''

Mr. Speaker, H.R. 992 is not anti-environment, nor will it amend any environmental law, as many of my colleagues have said. H.R. 992 would simply allow private property owners to seek redress in only one court, either the CFC or a federal district court. I believe that streamlining the legal process will greatly reduce the length of time and cost of litigation, which is both good for the private property owner and the federal government.

I thank my colleague from Texas for introducing his bill at this time, and ask my colleagues to support H.R. 992.

Mr. BLUMENAUER. Mr. Chairman, late last year we passed legislation that was an important landmark in the debate over the resolution of private property rights disputes.

In far too many parts of the country we have a patchwork system for resolving land use disputes that relies almost entirely upon legal maneuvering and political pressure. In many cases, this is because these areas lack comprehensive land use plans developed by local government with the help of their citizens and business interests.

This is an exceedingly inefficient and often unfair way to resolve the important public policy decisions attendant to development. There needs to be a way to provide incentives to State and local governments to carefully codify their planning objectives in terms of zoning and development requirements, along with cost and fee structures that require development to pay its own way. A combination of sound land use planning and appropriate user fee structures makes good development possible.

The legislation before us today is, in part, a logical addition to the steps we took in passing H.R. 1535. Members on both sides of the aisle see the wisdom of allowing both the claim suit and the compensation suit to be heard in one court opposed to two.

But unfortunately, in attempting to fix this problem, H.R. 992 creates a new one which is, for me, decisive. H.R. 922 would severely weaken a critical component of our environmental and labor laws, the so-called preclusive review. Under the bill, suits regarding the proper use of land or water as those uses related to the Clean Water Act and other critical environmental statutes could be heard in any of the district courts, as well as the Court of Federal Claims. Such a proposal opens the door to the possibility of courts establishing different water or air standards for different parts of the country. Without a uniform standard, as currently protected by preclusive review, we undermine the entire purpose of our environmental status. I don't believe a provision of this sort belongs in a bill specifically oriented toward eliminating the burden of separate court filings for takings claims. By supporting the Watt amendment, we can eliminate the Tucker Act Shuffle without undermining our environmental statutes.

Ms. PELOSI. Mr. Chairman, I rise in support of the amendment to H.R. 992 offered by Representatives WATT and ROTHMAN.

H.R. 992 would weaken existing environmental laws and increase the number of court cases initiated to challenge longstanding environmental protections. It would leave to the courts the interpretation of environmental laws by expanding court jurisdiction and authority to challenge government regulations.

As the bill stands, it would allow developers to shop the courts until they located the most favorable venue for the most favorable treatment of their arguments and to be heard in either the U.S. District Court or the U.S. Court of Federal Claims. One court might rule in one way affecting the same law that another court might act on with an entirely different interpretation. Contradictory rulings would lead to widespread confusion of the intent of laws developed and approved by Congress. The Watt-Rothman amendment offers a more reasonable approach to the court shopping spree provided under the bill.

Under Article I of the Constitution, the Court of Federal Claims does not have the authority to revoke federal statutes or to provide relief other than monetary. The Watt-Rothman amendment addresses the question of constitutionality and effectively eliminates the current ''shuffle'' between courts by consolidating claims within a single court, the U.S. District Court. The Watt-Rothman amendment also preserves expedited review which is important to determine the validity of federal regulations in an expeditious manner.

I urge my colleagues to vote in favor of the Watt-Rothman amendment.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in support of H.R. 992, the Tucker Act Shuffle Relief Act. This bill would simplify the court procedures when a case is brought by a private property owner to protect their legal and civil rights as guaranteed in the 5th amendment of the United States Constitution. This is a bill that is sorely needed.

As chairman of the Committee on Resources, we have documented in our hearings the many cases where governments assert the right to set aside private lands for the protection of wildlife.

When a landowner wants to sell land and the government pays for the land, that is legal and an acceptable manner for the government to protect wildlife.

However, as is happening more frequently, the government sometimes finds it inconvenient to find the funds to buy the land, so they designate it as habitat for an endangered species.

When that happens, landowners find that they cannot use their land. In the last two years, under extreme pressure from the Republican Congress, the government is beginning a process to allow landowners to use land designated as habitat, but only at a very high cost to landowners.

When landowners cannot afford to go to court to protect their legal and civil rights, the government can use pressure to take the land from the landowner.

We need to give landowners a more level playing field. We need to insure that going to court is not so expensive that only the biggest and richest landowners can afford to protect their rights.

A case in point is the Headwaters Forest in California. For years the government tried to use various forestry laws and the ESA to force the landowner off a portion of its land.

The landowner filed a takings suit in the court of claims and now the government has come to the bargaining table and offering to pay for the property.

This would not have happened if this landowner had not been a large, wealthy corporation with the resources to fight a long and an expensive court battle.

Now some environmentalists are arguing that this bill would increase the number of Federal lawsuits.

Some environmentalists are now in the business of filing lawsuits. In the last ten years, environmentalists have received over ten million dollars in payments from the Federal Treasury for filing Endangered Species Act lawsuits.

I believe many of these lawsuits are frivolous and an abuse of the courts, and their numbers are increasing dramatically.

For environmentalists to argue against allowing average citizens to sue at the same time they are making a living off their lawsuits in hypocrisy of the highest order.

I have a list of environmentalists who have received payments for lawsuits and would ask that it be entered into the RECORD with my testimony.

Let's insure that the smallest and poorest landowner can have the same rights as the biggest corporation or well financed environmental groups.

Lets pass H.R. 992 and protect our constitutional rights.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TIAHRT) having assumed the chair, Mrs. EMERSON, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 992) to end the Tucker Act shuffle, pursuant to House Resolution 382, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

☐ 1415

The SPEAKER pro tempore (Mr. TIAHRT). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WATT of North Carolina. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 230, noes 180, not voting 20, as follows:

[Roll No. 52]

AYES—230

Aderholt	Ehrlich	Martinez
Archer	Emerson	Mascara
Armey	English	McCollum
Bachus	Ensign	McCrery
Baesler	Everett	McDade
Baker	Ewing	McHugh
Ballenger	Fazio	McInnis
Barcia	Foley	McIntosh
Barr	Ford	McIntyre
Barrett (NE)	Fossella	McKeon
Bartlett	Fowler	Metcalf
Barton	Frost	Mica
Bateman	Gallegly	Minge
Bereuter	Ganske	Moran (KS)
Berry	Gekas	Myrick
Bilirakis	Gibbons	Nethercutt
Bishop	Gillmor	Neumann
Blagojevich	Goode	Ney
Bliley	Goodlatte	Northup
Blunt	Goodling	Norwood
Boehner	Gordon	Nussle
Bonilla	Graham	Ortiz
Boswell	Granger	Oxley
Boyd	Green	Packard
Brady	Gutknecht	Paul
Bryant	Hall (OH)	Paxon
Bunning	Hall (TX)	Pease
Burr	Hansen	Peterson (MN)
Burton	Hastert	Peterson (PA)
Buyer	Hastings (WA)	Petri
Callahan	Hayworth	Pickering
Calvert	Hefley	Pickett
Camp	Herger	Pitts
Campbell	Hill	Pombo
Canady	Hilleary	Pryce (OH)
Cannon	Hinojosa	Radanovich
Chabot	Hobson	Reyes
Chambliss	Hoekstra	Riggs
Chenoweth	Holden	Riley
Christensen	Horn	Roemer
Clement	Hostettler	Rogan
Coble	Houghton	Rogers
Coburn	Hulshof	Rohrabacher
Collins	Hunter	Ros-Lehtinen
Combest	Hutchinson	Royce
Condit	Hyde	Ryun
Cook	Inglis	Salmon
Cooksey	Istook	Sandlin
Costello	Jenkins	Scarborough
Cox	Johnson, Sam	Schaefer, Dan
Cramer	Jones	Schaffer, Bob
Crane	Kasich	Sensenbrenner
Crapo	Kim	Sessions
Cubin	Kind (WI)	Shadegg
Danner	King (NY)	Shaw
Davis (FL)	Kingston	Shimkus
Davis (VA)	Knollenberg	Shuster
Deal	Kolbe	Sisisky
DeLay	LaHood	Skeen
Diaz-Balart	Largent	Skelton
Dickey	Latham	Smith (MI)
Dooley	Lewis (CA)	Smith (OR)
Doolittle	Lewis (KY)	Smith (TX)
Doyle	Linder	Smith, Linda
Dreier	Lipinski	Snowbarger
Duncan	Livingston	Solomon
Dunn	Lucas	Souder
Edwards	Manzullo	Spence
Stearns	Thornberry	Weldon (FL)
Stenholm	Thune	Weygand
Stump	Thurman	White
Sununu	Tiahrt	Whitfield
Talent	Traficant	Wicker
Tauzin	Turner	Wolf
Taylor (MS)	Wamp	Young (AK)
Taylor (NC)	Watkins	Young (FL)
Thomas	Watts (OK)	

NOES—180

Abercrombie	Hooley	Owens
Ackerman	Hoyer	Pallone
Allen	Jackson (IL)	Pappas
Andrews	Jackson-Lee (TX)	Pascrell
Baldacci	Jefferson	Pastor
Barrett (WI)	Johnson (CT)	Payne
Bass	Johnson (WI)	Pelosi
Becerra	Johnson, E. B.	Pomeroy
Bentsen	Kanjorski	Porter
Bilbray	Kaptur	Portman
Blumenauer	Kelly	Price (NC)
Boehlert	Kennedy (MA)	Quinn
Bonior	Kennedy (RI)	Rahall
Borski	Kennelly	Ramstad
Boucher	Kildee	Rangel
Brown (FL)	Kilpatrick	Regula
Brown (OH)	Kleczka	Rivers
Cardin	Klink	Rodriguez
Carson	Klug	Rothman
Castle	Kucinich	Roukema
Clay	LaFalce	Rush
Clayton	Lampson	Sabo
Clyburn	Lantos	Sanders
Conyers	LaTourette	Sanford
Coyne	Lazio	Sawyer
Cummings	Leach	Saxton
Davis (IL)	Levin	Schumer
DeFazio	Lewis (GA)	Scott
DeGette	LoBiondo	Serrano
Delahunt	Lowey	Shays
DeLauro	Luther	Sherman
Deutsch	Maloney (CT)	Skaggs
Dicks	Maloney (NY)	Slaughter
Dingell	Manton	Smith (NJ)
Dixon	Matsui	Smith, Adam
Doggett	McCarthy (MO)	Snyder
Ehlers	McCarthy (NY)	Spratt
Engel	McDermott	Stabenow
Eshoo	McGovern	Stark
Etheridge	McHale	Stokes
Evans	McKinney	Strickland
Farr	McNulty	Stupak
Fattah	Meehan	Tauscher
Fawell	Meek (FL)	Thompson
Filner	Meeks (NY)	Tierney
Forbes	Menendez	Towns
Fox	Millender-McDonald	Upton
Frank (MA)	Miller (CA)	Velazquez
Franks (NJ)	Miller (FL)	Vento
Frelinghuysen	Mink	Visclosky
Gejdenson	Moakley	Walsh
Gephardt	Mollohan	Waters
Gilchrest	Moran (VA)	Watt (NC)
Gilman	Morella	Waxman
Greenwood	Murtha	Weldon (PA)
Gutierrez	Neal	Wexler
Hamilton	Oberstar	Wise
Hastings (FL)	Obey	Woolsey
Hefner	Olver	Wynn
Hilliard	Ortiz	Yates
Hinchey	Pallone	

NOT VOTING—20

Berman	John	Roybal-Allard
Brown (CA)	Lofgren	Sanchez
Cunningham	Markey	Schiff
Furse	Nadler	Tanner
Gonzalez	Parker	Torres
Goss	Poshard	Weller
Harman	Redmond	

☐ 1436

So the bill was passed.

The result of vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to end the Tucker Act shuffle, and for other purposes.''.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GOSS. Mr. Speaker, I was not present for the following rollcall votes: 50, 51, & 52. Had I been present, I would have voted ''yes'' on: 50 & 52 and ''no'' on: 51.

GENERAL LEAVE

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentleman from Texas?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1415

Mr. SALMON. Madam Speaker, I request unanimous consent that my name be removed as a cosponsor of H.R. 1415.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. FAZIO of California asked and was given permission to address the House for 1 minute.)

Mr. FAZIO of California. Madam Speaker, I yield to the gentleman from Texas (Mr. ARMEY) for an explanation of the schedule for next week.

Mr. ARMEY. Madam Speaker, I am happy to announce that we have concluded the legislative business of the week. The House will next meet on Tuesday, March 17, at 12:30 p.m. for morning hour and at 2:00 p.m. for legislative business.

We will consider a number of bills under suspension of the rules, a list of which will be distributed to Members' offices. Any recorded votes on these suspensions will be postponed until 5:00 p.m. on Tuesday, March 17.

On Tuesday, March 17, the House will also swear in Mrs. Capps as the new Member from California. On Wednesday, March 18, and Thursday, March 19, the House will meet at 10:00 a.m. to consider the following legislation: H. Con. Res. 227, a resolution directing the President to remove U.S. armed forces from Bosnia-Herzegovina; H.R. 1757, the State Department conference report; H.R. 2870, the tropical forest conservation act; and H.R. 1704, a bill to establish a congressional office of regulatory analysis.

Mr. Speaker, we hope to conclude legislative business for the week by 6:00 p.m. on Thursday, March 19. There will be no legislative business and no votes on Friday, March 20.

I want to thank the gentleman for yielding to me.

Mr. FAZIO of California. Madam Speaker, if I could ask the gentleman to tell us whether the Capps swearing in would be at 5:00 or thereafter?

Mr. ARMEY. Madam Speaker, I thank the gentleman for asking. Obviously, this is a very important day in

the life of Mrs. Capps, and we would be working with the minority to coordinate that. We would expect to do that in such a way as to honor also the commitment to Members regarding votes and their travel arrangements. I would anticipate that it would be after 5:00 that evening.

Mr. FAZIO of California. Madam Speaker, I thank the gentleman.

MAKING IN ORDER ON WEDNESDAY MARCH 18, 1998, CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 227, DIRECTING THE PRESIDENT TO REMOVE U.S. ARMED FORCES FROM BOSNIA-HERZEGOVINA

Mr. ARMEY. Madam Speaker, I ask unanimous consent that it not be in order prior to Wednesday, March 18, 1998 to consider House Concurrent Resolution 227; on Wednesday, March 18, it be in order in the House to consider House Concurrent Resolution 227 as modified by the amendment numbered 1 printed in the CONGRESSIONAL RECORD of today; and the previous question shall be considered as ordered on the concurrent resolution, as modified, to final adoption without intervening motion except two hours of debate, with one hour controlled by the gentleman from California (Mr. CAMPBELL), 30 minutes controlled by the gentleman from New York (Mr. GILMAN) or his designee, and 30 minutes controlled by the gentleman from Indiana (Mr. HAMILTON) or his designee.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION FOR COMMITTEE ON INTERNATIONAL RELATIONS TO HAVE UNTIL MIDNIGHT, FRIDAY, MARCH 13, 1998, TO FILE REPORT ON H.R. 2870, TROPICAL FOREST CONSERVATION ACT OF 1998

Mr. CAMPBELL. Madam Speaker, I ask unanimous consent that the Committee on International Relations have until midnight, Friday, March 13, 1998, to file a report to accompany the bill (H.R. 2870) to amend the Foreign Assistance Act of 1961 to facilitate protection of tropical forests through debt reduction with developing countries with tropical forests.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO HAVE UNTIL MIDNIGHT FRIDAY, MARCH 13, 1998, TO FILE REPORT ON H.R. 1704, CONGRESSIONAL OFFICE OF REGULATORY ANALYSIS CREATION ACT

Mr. CAMPBELL. Madam Speaker, I ask unanimous consent that the Committee on the Judiciary have until midnight on Friday, March 13, 1998 to file a report on the bill (H.R. 1704) to establish a Congressional Office of Regulatory Analysis.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ENTERTAIN MOTIONS TO SUSPEND THE RULES ON WEDNESDAY, MARCH 18, 1998

Mr. CAMPBELL. Madam Speaker, I ask unanimous consent that notwithstanding clause 1 of rule XXVII, it be in order at any time on Wednesday, March 18, 1998, for the Speaker to entertain motions to suspend the rules and pass the following bills: H.R. 2696, amending title 17 to provide for protection of certain original designs; S. 758, making technical corrections to the Lobbying Disclosure Act of 1995; H.R. 2294, Federal Courts Improvement Act of 1997; and H.R. 3117, the Civil Rights Commission Act of 1998.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ADJOURNMENT TO MONDAY, MARCH 16, 1998

Mr. CAMPBELL. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2:00 p.m. on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

HOUR OF MEETING ON TUESDAY, MARCH 17, 1998

Mr. CAMPBELL. Madam Speaker, I ask unanimous consent that when the House adjourns on Monday, March 16, 1998, it adjourn to meet at 12:30 p.m. on Tuesday, March 17, 1998 for morning hour debates.

The SPEAKER pro tempore. Is there objecton to the request of the gentleman from California?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. CAMPBELL. Madam Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objecton to the request of the gentleman from California?

There was no objection.

INTRODUCTION OF LEGISLATION NAMING THE DICK CHENEY FEDERAL BUILDING

(Mrs. CUBIN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CUBIN. Mr. Speaker, it gives me great pleasure today to introduce legislation to rename the Federal building and post office in Casper, Wyoming, the Dick Cheney Federal Building. I know of no one more deserving of this honor than Dick Cheney.

Dick was one of my predecessors in the House. He served as Chief of Staff to former President Ford and he was Secretary of Defense under former President George Bush. During his tenure as Defense Secretary, Dick directed two of the largest military campaigns in recent history, Operation Just Cause in Panama and Operation Desert Storm in the Middle East. For his leadership in the Gulf War, Dick was awarded the Presidential Medal of Freedom by President Bush, one of the highest honors bestowed on any individual.

Although Dick is now serving as Chairman of the Board and Chief Executive Officer of the Halliburton Company and out of the political limelight, he remains extremely popular in Wyoming and his advice is still sought after by many of us, including myself, who currently serve in office. I hope my colleagues will join me in sponsoring this legislation in honor of one of our most cherished and highly respected former Members.

Mr. Speaker, it is my distinct honor and privilege to introduce today a bill to rename the Federal Building and Post Office in Casper, Wyoming, after a former member of this body, my predecessor, Dick Cheney. I cannot think of anyone more deserving of this recognition, and I know the residents of Casper and all of Wyoming will be proud to honor him in this manner.

As most of my colleagues are aware, Dick was first elected to serve in the House of Representatives in 1978 and was reelected five times. At the end of his first term, his Republican colleagues elected him to serve as Chairman of the Republican Policy Committee. I'm told that is the first time in this century a freshman member has been named to that position. Dick went on to become Chairman of the Republican Conference and House Minority Whip.

But Dick's political career really began years earlier when he first joined the Nixon Administration in 1969, where he served in a number of positions at the Cost of Living Council, the Office of Economic Opportunity and the White House staff. He left the government in 1973 to become Vice President of Bradley, Woods and Company, an investment advisory firm.

When Gerald Ford assumed the Presidency in August of 1974, Dick was invited to serve on the transition team and later as Deputy Assistant to the President. In November, 1975, he was named Assistant to the President and White House Chief of Staff, a position he held throughout the remainder of the Ford Administration. I might add that, at 34, Dick was the youngest Chief of Staff ever to serve a President.

For many of us in Wyoming who have known Dick for years, however, our greatest thrill was having him appointed as Secretary of Defense in the Bush Administration, a position he held from March of 1989 to January

1993. During his tenure at the Defense Department, Dick directed two of the largest military campaigns in recent history—Operation Just Cause in Panama and Operation Desert Storm in the Middle East. He was also responsible for shaping the future of the U.S. military in an age of profound and rapid change as the Cold War ended. For his leadership in the Gulf War, Dick was awarded the Presidential Medal of Freedom by President Bush on July 3, 1991, one of the highest honors bestowed on any individual.

Although Dick is now serving as Chairman of the Board and Chief Executive Officer of the Halliburton Company and out of the political limelight, he remains extremely popular in Wyoming and his advice is still sought after by many of us—including myself—who currently serve in office. Dick and his wife Lynne are among my closest friends and I cherish, love and admire them both. It is a great pleasure for me to seek to recognize him in this fashion, and I trust my colleagues will join me in sponsoring this bill and working towards its expeditious passage.

Thank you, Dick, for all you have done for this country. God bless you and your family.

MARRIAGE TAX PENALTY

(Mr. WELLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELLER. Mr. Speaker, why is enactment of the Marriage Tax Elimination Act so important? Do Americans feel that it is fair that our tax code imposes a higher tax on marriage?

Do Americans feel that it is fair that 21 million married working couples pay on the average of $1,400 more a year than an identical couple living together outside of marriage? Do Americans feel that it is fair that our Tax Code provides an incentive to get divorced? Of course not.

The marriage tax penalty is not only unfair, it is wrong that we punish marriage. The marriage tax penalty results when we have a couple with two incomes that are married and they file jointly and it pushes them into a higher tax bracket. Twenty-one million married couples pay on the average of $1,400 more.

In Chicago and the south suburbs that I have the privilege of representing, $1,400 is one year's tuition at a community college; that is three months' worth of day care at a local child care center.

The Marriage Tax Elimination Act now has 238 cosponsors, Republicans and Democrats. Our legislation would immediately eliminate the marriage tax penalty. Let us eliminate the marriage tax penalty and do it now.

Mr. Speaker, I rise today to highlight what is arguably the most unfair provision in the U.S. Tax code: the marriage penalty. I want to thank you for your long term interest in bringing parity to the tax burden impose on working married couples compared to a couple living together outside of marriage.

In January, President Clinton gave his State of the Union Address outlining many of things he wants to do with the budget surplus.

A surplus provided by the bipartisan budget agreement which: cut waste, put America's fiscal house in order, and held Washington's feet to the fire to balance the budget.

While President Clinton paraded a long list of new spending totaling at least $46—$48 billion in new programs—we believe that a top priority should be returning the budget surplus to America's families as additional middle-class tax relief.

This Congress has given more tax relief to the middle class and working poor than any Congress of the last half century.

I think the issue of the marriage penalty can best be framed by asking these questions : Do Americans feel its fair that our tax code imposes a higher tax penalty on marriage? Do Americans feel its fair that the average married working couple pays almost $1,400 more in taxes than a couple with almost identical income living together outside of marriage? Is it right that our tax code provides an incentive to get divorced?

In fact, today the only form one can file to avoid the marriage tax penalty is paperwork for divorce. And that is just wrong?

Since 1969, our tax laws have purnished married couples when both spouses work. For no other reason than the decision to be joined in holy matrimony, more than 21 million couples a year are penalized. They pay more in taxes than they would if they were single. Not only is the marriage penalty unfair, it's wrong that our tax code punishes society's most basic institution. The marriage tax penalty exacts a disproportionate toll on working women and lower income couples with children. In many cases it is a working women's issue.

Let me give you an example of how the marriage tax penalty unfairly affects middle class married working couples.

For example, a machinist, at a Caterpillar manufacturing plant in my home district of Joliet, makes $30,500 a year in salary. His wife is a tenured elementary school teacher, also bringing home $30,500 a year in salary. If they would both file their taxes as singles, as individuals, they would pay 15%.

MARRIAGE PENALTY EXAMPLE IN THE SOUTH SUBURBS

	Machinist	Schooo teacher	Couple
Adjusted Gross Income	$30,500	$30,500	$61,000
Less Personal Exemption and Standard Deduction	$6,550	6,550	11,800
Taxable Income	23,950	23,950	49,200
Tax Liability	3,592.5	3,592.5	8,563
Marriage Penalty	.....	.....	1,378

But if they chose to live their lives in holy matrimony, and now file jointly, their combined income of $61,000 pushes them into a higher tax bracket of 28 percent, producing a tax penalty of $1400 in higher taxes.

On average, America's married working couples pay $1,400 more a year in taxes than individuals with the same incomes. That's serious money. Everyday we get closer to April 15th more married couples will be realizing that they are suffering the marriage tax penalty.

Particularly if you think of it in terms of: a down payment on a house or a car, one years tuition at a local community college, or several months worth of quality child care at a local day care center.

To that end, Congressman DAVID MCINTOSH and I have authored the Marriage Tax Elimination Act.

It would allow married couples a choice in filing their income taxes, either jointly or as individuals—which ever way lets them keep more of their own money.

Our bill already has the bipartisan cosponsorship of 232 Members of the House and a similar bill in the Senate also enjoys widespread support.

It isn't enough for President Clinton to suggest tax breaks for child care. The President's child care proposal would help a working couple afford, on average, three weeks of day care. Elimination of the marriage tax penalty would give the same couple the choice of paying for three months of child care—or addressing other family priorities. After all, parents know better than Washington what their family needs.

We fondly remember the 1996 State of the Union address when the President declared emphatically that, quote ''the era of big government is over.''

We must stick to our guns, and stay the course. There never was an American appetite for big government. But there certainly is for reforming the existing way government does business. And what better way to show the American people that our government will continue along the path to reform and prosperity than by eliminating the marriage tax penalty.

Ladies and Gentlemen, we are on the verge of running a surplus. It's basic math. It means Americans are already paying more than is needed for government to do the job we expect of it. What better way to give back than to begin with mom and dad and the American family—the backbone of our society.

We ask that President Clinton join with Congress and make elimination of the marriage tax penalty . . . a bipartisan priority. Of all the challenges married couples face in providing home and hearth to America's children, the U.S. tax code should not be one of them.

Lets eliminate The Marriage Tax Penalty and do it now!

WHICH IS BETTER?

NOTE: The President's Proposal to expand the child care tax credit will pay for only 2 to 3 weeks of child care. The Weller-McIntosh Marriage Tax Elimination Act H.R. 2456, will allow married couples to pay for 3 months of child care.

WHICH IS BETTER, 3 WEEKS OR 3 MONTHS?

CHILD CARE OPTIONS UNDER THE MARRIAGE TAX ELIMINATION ACT

	Average tax relief	Average weekly day care cost	Weeks day care
Marriage Tax Elimination Act	$1,400	$127	11
President's Child Care Tax Credit	358	127	2.8

☐ 1445

SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. EMERSON). Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

SAVE WORKING FAMILIES AND SENIORS TAX RELIEF PACKAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

Mr. FILNER. Madam Speaker, I rise today to introduce a tax relief package for middle class taxpayers. I collectively call them the ''Save Our Working Families And Seniors'' tax relief bills. The three bills, the Middle Income Senior Tax Relief Act, the Equal Indexing for Seniors Act, and the Middle Class Medical Tax Relief Act, would reduce the tax burden for middle class taxpayers.

These taxpayers see their paychecks and retirement income dwindle because of the unfair way the Tax Code treats Social Security income and health care costs. My bills would put some of their hard-earned money back into their pockets and into their savings accounts.

The Middle Class Medical Tax Relief Act would lower the exclusion percentage of medical deductions from 7½ percent to 5 percent for singles with incomes of less than $60,000 per year and couples with incomes of less than $75,000 per year. Thus, a family whose income was $50,000, would be allowed to deduct all medical expenses above $2,500 instead of those above $3,750, as is now the law. Surely, middle class taxpayers need this tax relief.

Almost every year government employees receive a cost of living increase to adjust their pay for inflation. But retirees' tax liability is not indexed for inflation, so those who work or are seeing a return on their investments they made for their retirement years must pay an ever-increasing percentage of their income on taxes. My bill, the Equal Indexing for Seniors Act, would index for inflation the amount of income each year that a senior can earn before their Social Security can be taxed.

And middle income seniors, who earn just a bit more in a year, would not suddenly find their percentage of Social Security benefits taxed jump from 50 to 85 percent. My third bill, the Middle Income Senior Tax Relief Act, would increase the threshold for couples to $54,000 before 85 percent of their Social Security benefits are taxed. Taken together, these two bills ensure that taxable income thresholds will rise with inflation.

We, as a Congress, should not discourage seniors from working or earning a good return on their retirement investments, nor should we exclude people who have a modest amount of health care expenses from itemizing them.

Madam Speaker, that is why I encourage my colleagues' support of the three bills that form my ''Save Our Middle Class Families And Seniors'' tax relief package.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

(Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereinafter in the Extensions of Remarks.)

CONGRESS SHOULD ACT QUICKLY TO HELP TURN AROUND SCHOOLS IN THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Ms. NORTON. Madam Speaker, I have just come from a hearing on school vouchers, and I appreciate that I was given the opportunity to participate in the hearing because the hearing involved only the District of Columbia. I am left to wonder why the majority does not bring a voucher bill forward for the people of the United States of America, but picks only on one jurisdiction, the one that has voted at the highest rate—89 percent—against vouchers.

I want to thank the Catholic Archdiocese as well as others who support charter schools for coming. The gentleman from California (Mr. RIGGS), chairman of the committee, is the major sponsor of the RIGGS-ROEMER bill which brought the House together on both sides on the notion of school choice involving public charter schools.

I am very appreciative of the Washington Scholarship Fund. It is a private group that has put its money where its mouth is. It has not walked up and down the halls of Congress lobbying to get Congress to spend money which it knows the Congress is not going to be able to spend, but has simply come forward with the money on its own and now has raised money for scholarships in the District, for kids who want to go.

I want to thank Arlene Ackerman, who is the new chief academic officer. She is a piece of work. She is already doing it, not just talking it. Our kids will be reading the equivalent of 25 books each next year.

I asked her what she could do with the $7 million in the so-called vouchers bill, and here is what she had to say. She would use that money this summer to send 20,000 kids to summer school so that we can end social promotion in the District of Columbia. She is going to do it one way or the other anyway. She does not have the money to do it now.

The credibility of those who are pressing vouchers is severely strained when, in fact, we can do something that will make a huge difference in the District of Columbia this very year with that $7 million. When that vote comes on the floor of the House, however, it comes with the certain knowledge of the leadership that the President has already announced that he would veto a voucher bill.

So why are they bringing it? The bill comes with the certain knowledge that such a bill would be met with a lawsuit and an immediate injunction, because there have been two or three vouchers passed in the States and each and every one of them has been enjoined by the courts. So what is the majority trying to do? They come crying crocodile tears for my kids. If they mean it, they should give us the $7 million so that we can end social promotion in the District of Columbia.

Instead, they have dangled free money before some poor kids in the District of Columbia. They are playing with my constituents because they know that this free money will not come out of here. They did the same thing with our ministers last year. They got them to sign on for some free money for scholarships for the District of Columbia.

But have they told my constituents there would be a veto and that the free money would never come out of the halls of this House? Have they told my constituents there will be a lawsuit, and that every such voucher bill that has been brought in the United States of America has been halted by an injunction?

Who are they playing with? Who are they fooling? Do they care about youngsters in the District of Columbia? They should prove it. They should put their money where their mouths are. It is time to stop talking about the schools of the District of Columbia. There is something they can do about it. Stop raising expectations among poor people in the District. The Congress is back again. The bill is fast becoming a cruel hoax.

I asked the two parents who testified before the committee this morning, whether they knew that they would not qualify for the vouchers if the vouchers were in fact passed by this House, because they are already in private schools? And they did not know that, my colleagues.

Please help me. The children of the District of Columbia are as desperately off as my colleagues claim. The schools are indeed as bad as the schools in all of the large cities of the United States. My colleagues can do something about it. We are not the Congress' burden, we are not the Congress' responsibility, but we seek a partnership to quickly bring these schools up and to give these kids what they deserve. They deserve much more than they have gotten from the District.

My colleagues' critique of the schools is well placed, but it will mean nothing unless they also step up and do something. And what my colleagues can do this summer is to begin quickly in the short-term to turn around a school system that has brought nothing but condemnation on this floor and in the District.

The difference between the District and my colleagues is that the Congress controls billions of dollars. With only $7 million, we can get a bill that would

be signed by the President and would send 20,000 children to school and help them quickly improve their standards.

HONORING AMERICA'S WORD TO OUR VETERANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. NORWOOD) is recognized for 5 minutes.

Mr. NORWOOD. Mr. Speaker, when millions of older Americans decided to begin their military careers, one of the primary selling points used by the recruiters back then was the Federal Government's promise of retirement benefits. Those benefits included free lifetime health care.

The sales pitch went sort of like this: ''The pay is not very good, your family will have to move every couple of years, and there is a distinct possibility that you might be killed or crippled. But if you can live through it for the 20 years, you will have the satisfaction of having served your country along with a decent retirement. And you will not have to worry about health care costs eating up that retirement check because you will have free health care for life at military hospitals, as long as they have room for you.''

Well, Mr. Speaker, today 400,000 American veterans are dying prematurely. Many of these veterans are military retirees and now have no medical care option left but Medicare. Some do not even have Medicare coverage. They counted on the lifetime military health care promise, the promise that they were given upon entering the military, and did not sign up for Medicare Part B, not ever considering that the Federal Government might go back on its word. Now these men and women do not even have health coverage this Congress provides for draft dodgers.

While numerous good bills have been introduced in the 105th Congress to address this problem, there is one that I believe deserves some special attention, H.R. 1356, introduced by my very good friend the gentleman from Oklahoma (Mr. J. C. WATTS). H.R. 1356 offers the Federal Employees Health Benefits Program, or FEHBP, as an alternative for those beneficiaries who have lost access to the Department of Defense-sponsored health care.

This legislation has been cosponsored by 66 Members of this House. If it is modified with cost control caps, it would provide a cost-effective quick fix for those military folks and their families that are truly hurting today. It will go a long way towards solving the problems of all 8.2 million military retirees.

H.R. 1356 would require the Department of Defense to restore the current CHAMPUS/TRICARE Standard program to the quality benefit intended when the CHAMPUS program was enacted in 1966. It would allow Medicare-eligible retirees the option to enroll in the Federal Employees Health Benefits Program. Those under the age of 65 would be provided with the plan option if the restored benefit is not available.

This legislation is very similar to the Military Health Care Justice plan proposed by the National Association of the Uniformed Services to provide care to all military beneficiaries without harming readiness.

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FEHBP, the Federal Employee Health Benefits Plan, is a wonderful example of the Federal Government providing great health care at a reasonable cost, a Federal program that has actually been working for the past 37 years. In fact, according to the Heritage Foundation, it is the most efficient health care system of its kind in the country. I, as well as my staff, know this because we are currently enrolled.

As a veteran, I feel it is essential that the Federal Government honor the commitment it made to provide quality health care to those veterans who have served a minimum of 20 years of active Federal service. These are the men and women who have defended our Nation and protected our freedom. If the military health care crisis is not corrected through legislation that provides a solution in the next couple of years, these men and women could be denied the promise, the promise, from the Federal Government of lifetime medical care that was made to them when they first enlisted.

Nine million Federal civilian employees, including DOD civilian personnel, and 1.6 million DOD and other Federal civilian retirees and their dependents have the Federal Employee Health Benefit Plan. Let us honor our promise to the men and women who have protected us and let us pass H.R. 1356.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

(Ms. MILLENDER-McDONALD addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MALONEY) is recognized for 5 minutes.

(Mrs. MALONEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland (Mrs. MORELLA) is recognized for 5 minutes.

(Mrs. MORELLA addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. LANTOS) is recognized for 5 minutes.

(Mr. LANTOS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. PETERSON) is recognized for 5 minutes.

(Mr. PETERSON of Pennsylvania addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. RANGEL) is recognized for 5 minutes.

(Mr. RANGEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

LUNAR PROSPECTOR MISSION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. WELDON) is recognized for 5 minutes.

Mr. WELDON of Florida. Mr. Speaker, it is an honor for me to rise today and speak out in support of the men and women at NASA and at Spaceport Florida who are responsible for the recent very successful Lunar Prospector mission. And actually, this is an ongoing mission. The probe is still orbiting the Moon.

First of all, let me talk about Spaceport Florida. Spaceport Florida is a new entity. Some people may ask, ''What is a spaceport?'' Traditionally, most of the launches that have been done at Cape Canaveral have been done by the Federal Government, either the Air Force or NASA. Years ago, the State of Florida realized that, with the emerging commercial launch industry, that it would be very helpful to have a State agency that would actually launch rockets.

To my left on this easel is the first mission, the Lunar Prospector mission; and what we have here shown is the Lockheed Martin Athena II launch vehicle, which is this rocket right here. There are several State-sponsored spaceports, as we call them. They are like an airport or seaport, a place where you take off to another place. Instead of in an airplane, it is a rocket that is taking off.

Florida has the first successful launch of a rocket from its State-sponsored spaceport. And one of the big advantages of this is that it saves money. By having a spaceport handle it, we can cut back on a lot of bureaucracy and costs and be able to do things more efficiently. This whole mission, this Lunar Prospector mission, is part of what they call the faster, better, cheaper mode of doing things.

The reason this mission went off was because several years ago there was another mission. It was called Clementine. That was sponsored by both the Department of Defense and by NASA, which showed a suggestion that there might actually be ice on the Moon.

Now, on top of this rocket here, up there, was this probe called the Lunar Prospector, which is shown on this other visual that I have here. And the Prospector's mission was to map the surface of the Moon's crust and to search for conclusive evidence of water, or hydrogen. Water is made up of two parts hydrogen, one part oxygen. And the mission here was to look for that evidence of hydrogen on the surface of the Moon, which would be a sign that water is in the crust in a frozen form.

This was done through Prospector's neutron spectrometer, which can sense the hydrogen down to a depth of half a meter, and it measures the emanations of neutrons from the surface, which are considered by scientists to be the signature, the indicator that ice exists within the frozen soil on the poles of the Moon.

Well, lo and behold, what was discovered was very strong evidence. It is suspected that water exists on the lunar poles, possibly as much as one million tons of water, which is 30 billion gallons. It is enough water to equal a lake approximately 4 miles long, 4 miles wide, and one meter deep.

How did they get there? Well, nobody really knows. It may have been deposited there by comets. Now, what is the significance of this? Well, the significance of this is huge. Number one, it means that if we were to try to establish a colony on the Moon, that water would not have to be brought to the Moon. So we would have a ready source of water there for humans should they ever colonize the Moon to form, say, an observatory to study the universe on the surface of the Moon, the people would have access to water.

Importantly, though, they would also have access to oxygen. Because we can use the sun's solar rays to generate electricity to split water to form oxygen and hydrogen. Water, again, is H2O, two parts hydrogen, one part oxygen. So we could generate the oxygen needed for the people to breathe and we could create an atmosphere.

Another very important thing is we can take that oxygen and hydrogen and use it as rocket fuel. Indeed, hydrogen and oxygen is the primary fuel used on our Nation's Space Shuttle when it rockets off into space. So this is a tremendous breakthrough. And I applaud the team at Ames Research Center and Allen Bender and all of the researchers who were involved, especially the people at Spaceport Florida, in getting this probe into orbit.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

(Mr. ALLEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HOME HEALTH CARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. BARCIA) is recognized for 5 minutes.

Mr. BARCIA. Mr. Speaker, I want to talk about an issue that I am very concerned about today and that affects the quality of health care throughout this great Nation.

A few years ago, back in about 1989, I was involved in an automobile collision in which two, my car and another car, collided. The other car crossed the center line, and we had a horrendous crash. And I ended up serving about 4 weeks, receiving acute care in my hometown of Bay City, Michigan.

After I was released from the hospital, I had the privilege of being able to be a recipient of home health care. During that time, I was in a wheelchair and also on crutches for about 12 weeks.

So I got a massive dose, I guess, of education in terms of what the patients of this country go through in terms of receiving that quality health care in an acute facility, but then also having the opportunity to be released from that facility to recuperate further in a home environment.

Mr. Speaker, anyone who has ever had the need for extended medical care, as I have, knows that the ability to recuperate in one's own home provides a reassurance that cannot be provided in any other medical facility.

The people in our Nation that provide home health care provide a vital and cost-effective form of health care and medical treatments. Certainly when we have this quality care, we need to do all that we can to preserve our current home health care system.

That home health care system is, in fact, threatened by part of the recent balanced budget agreement that we voted on here in this House. As part of the Balanced Budget Act of 1997, we required that home health care providers obtain surety bonds in order to be a Medicare or Medicaid-eligible provider. The intent was to be sure that we could guard against fraud in the program, and no one would certainly disagree with that very worthy goal.

However, obtaining bonds can work a financial hardship on providers who are faced with extremely tight cash flows, especially since the Health Care Financing Administration wants to treat the cost of obtaining a bond as a nonreimbursable expense.

Fortunately, there is an alternative available. There is a long-standing provision of the U.S. Code which allows for government obligations like savings bonds and Treasury bills to be used as a substitute for surety bonds when surety bonds are required.

HCFA, to its credit, has recognized this option, and just this week met with officials of the Treasury Department to determine if government obligations could substitute for surety bonds in this instance.

I am happy to report to our colleagues that officials of both the Treasury Department and HCFA have advised my office that this substitution should be an option in the case of Medicare providers, and that they are hopeful in making it applicable in the case of Medicaid providers as well.

There are some details that need to be resolved by HCFA's counsel prior to a final decision being made, but I am hopeful that, in the end, we will be able to achieve meaningful assurance for our Medicare and Medicaid programs, not unfairly limit people's choices of care providers, and minimize any cost consequences to care providers.

I am hopeful that in HCFA's final determination that the agency will accept the face value of the government obligation as the par value, and not require an absolute current dollar-to-dollar match. The obligations, in my view, are sufficient to protect the government's interest and the integrity of the program.

Mr. Speaker, I urge all of our colleagues and home health care providers across the country to join me in urging HCFA to, as soon as possible, approve the use of government obligations in lieu of surety bonds, using the face balance as par value in this very important program.

ARMENIAN GENOCIDE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I am joined tonight by my colleague and friend the gentleman from California (Mr. SHERMAN). Both of us are members of the Armenia Caucus in the House of Representatives and also the India Caucus.

We have been active in dealing with some of the issues that would bring Armenia and the United States closer together as well as India and the United States.

There are a number of issues that we wanted to discuss this afternoon. I wanted to start out by talking about a recent development related to the Turkish Government, and what I consider a serious threat to academic integrity at two great American universities.

Negotiations are now under way between the Republic of Turkey and the University of California at Berkeley to establish a Turkish studies program at that university. In addition, Portland State University in Oregon has signed a contract with the government of Turkey to establish a similar program, although Portland State is currently reviewing the conditions of the grant.

These efforts, I want to stress, are part of a pattern that set up Turkish studies programs at great American universities, all funded with strings attached, I should stress, by the government of Turkey.

A similar study program was, in fact, set up at Princeton University in my

home State of New Jersey and at other schools, all with endowments from the Turkish Government.

Last year, yet another effort by the Turkish Government to set up a program at a major American university, I think it was the alma mater of the gentleman from California (Mr. SHERMAN), the University of California, Los Angeles, UCLA, was rejected by the school's history faculty. I know that the gentleman from California (Mr. SHERMAN) played a major role in that, and I also spoke out against UCLA setting up this type of chair or program with the funding from the Turkish Government.

I just wanted to say that I believe that everyone associated with UCLA should be proud of the stand taken by that university. UCLA is not only a university with a grade academic reputation, it is also a school that receives public funds giving it an added responsibility to the community for maintaining standards of academic excellence and integrity. I hope that Berkeley and Portland State will also take this factor into consideration.

Mr. Speaker, I yield to my colleague from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, I am indeed an alumnus of UCLA. I was proud when we won the NCAA championship in basketball again and again and again. I was proud when we won the Rose Bowl, and proud when we beat our crosstown rivals, a school whose name I have forgotten. I have been proud to be a Bruin my entire adult life.

I am always aware of the fact that my alma mater needs funds, as every school does. $1.2 million and more was offered to UCLA by the Turkish Government which attached some strings to, in effect, require that whoever sat in that chair would be in favor of the Turkish interpretation of history and of the positions of the Turkish Government.

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While I was proud of UCLA so many other times, I was never prouder than when the UCLA history faculty and the UCLA academic community said academic integrity is not for sale in Westwood. I hope that other universities will say the same thing.

The Turkish Government should, as this Congress has called upon it to do, admit the genocide that occurred in the beginning decades of this century and other atrocities.

The United States is the greatest country in the world. Our greatness relies in part on our honesty. Imagine the United States funding academic chairs to say, Native Americans just voluntarily deeded all their lands. Imagine the United States trying to put out propaganda saying slavery never existed. America's greatness is based on truth. The Turkish state should realize the same thing. The Turkish Government should simply recognize the genocide and the massacres at Smryna.

Instead, they are using dollars all around the United States, as the gentleman points out, to undermine academic integrity here in the United States, to go to cash-strapped universities and say, ''Here's half a million dollars, here's a million dollars. You can use it for your history department. You can teach an important part of the history of the world. Just make sure you teach it from a particular angle.''

I hope that Portland State University and the great University of California at Berkeley will follow the lead of UCLA and say, ''Academic integrity is not for sale.''

Mr. PALLONE. I just want to follow up on what my colleague from California said.

As the gentleman said, there are countries that have contributed funds to American universities for various history, language and cultural programs, and in many cases these programs have a high academic repute. The difference between these programs and what Turkey is trying to accomplish and has already accomplished because unlike UCLA, Princeton University in my State accepted these funds, and that is that the Turkish studies program stipulate that their money goes to hire only scholars with close and cordial relations with academic circles in Turkey and those with access to that country's libraries and historical archives.

The programs are not intended to encourage objective research into Turkish history, but rather to further the Turkish Government's goal of using a selective interpretation of history to advance official government propaganda. To that end, Turkey restricts access to its historical archives to those supportive of the official version of Ottoman and Turkish history.

The gentleman from California (Mr. SHERMAN) talked about the Armenian genocide, this terrible crime against humanity, the first example of genocide in the 20th century. Surely, Mr. Speaker, this historic tragedy should figure in any account of Ottoman and Turkish history. Yet that is not the intent.

The Turkish Government is not interested in presenting an accurate, complete or truthful overview of Turkish history, but rather uses cash payments to major universities as a way of manipulating the teaching of the history of the genocide. The consequences are severe, including the denial or whitewashing of historically verified genocide of the Armenian people, as well as other dark chapters in Turkish history, such as the ongoing oppression of the Turkish people, the massacres at Smyrna in the early part of this century and the invasion and occupation of Cyprus.

This is basically a continued suppression of democracy and free speech. That is why the gentleman from California (Mr. SHERMAN) and I are so much opposed to what the Turkish Government is trying to do when they donate and they give this money to major universities such as Princeton, UCLA and now Berkeley and Portland State.

I wanted to just say briefly, we had a very interesting Armenian Caucus reception a few weeks ago where we had Peter Balakian, a native of my State of New Jersey and a renowned poet and professor at Colgate University and the descendant of genocide survivors. Mr. Balakian consistently cautioned against the efforts of the Turkish Government to put its spin on Turkish history in major American universities.

I just wanted to take note where he said that the proposed chair, we are talking now about, I think at the time it was either UCLA or Berkeley, would be generated by a country with one of the worst and most violent and most repressive regimes in human rights on this planet.

And so this issue is not just about Turkey, but about academic freedom and academic integrity. So it really goes beyond the issue of even what Turkey is trying to do, but just the issue of academic freedom and integrity at these universities. If the Turkish chair were proposed at a university that included as part of its curriculum the work of scholars like Peter Balakian and others who documented the Armenian genocide, then I think they would have a credible academic program that we would support. But the effort by a foreign government in this way, to buy its way into our universities to rewrite history, should not be tolerated.

I know both the Armenian-American and the Greek-American communities have led the fight against this ongoing campaign. What is happening now at Berkeley and Portland State is just another manifestation. I just hope that these two universities will follow the example of UCLA and reject this effort by Turkey to buy its way into our country's higher learning institutions.

Mr. SHERMAN. I should point out that the Turkish studies proposal at the University of California at Berkeley has an element in it that goes even beyond the undermining of academic freedom. That would have been the case if UCLA had accepted the offer, which I am so proud that they chose not to accept.

The University of California at Berkeley, has proposed to establish an advisory committee which would control how the funds will be spent, the selection of visiting faculty and the establishment of an endowed chair. That advisory committee will have on it an official of the Turkish Government. This is an odd provision to have in a committee given authority over what is taught and how it is taught and who teaches at a great American university.

Mr. PALLONE. I was looking at what the gentleman said about this advisory committee and its makeup. They are actually in charge of providing advice on the disposition of the proceeds of the endowment, the choice of teaching

personnel, visiting faculty, the planning of lectures and cultural events, fund-raising. They basically are going to have input into the whole process.

Mr. SHERMAN. I think it is unprecedented and particularly unprecedented to give that kind of power to a country and a government which, unfortunately, is bent on a process of genocide denial.

My own background is that I am a Jewish American. We have said time and again, ''Never forget, never again,'' when it comes to the Holocaust that destroyed over a third of the Jewish people in the world.

It has been recognized by scholars of genocide that the last step in a genocide is genocide denial. First is the actual murder and then the cover-up. Because what that does is it does not only kill as the genocide kills, but it kills the memory of those who perpetrated the crime and those who were victims of it.

We must prevent this last step of the Armenian genocide. We must say, as to that genocide and as to all genocides, never forget, and never again.

Another concern we should have is that genocide denial is not only the last step in the last genocide, it is the first step of the next genocide. That genocide may not be against the same victims, that genocide may be not committed by the same perpetrators, but when genocide is denied in one place in the world, it sets the stage for genocide to be committed somewhere else in the world.

We have all heard the words of Adolf Hitler when he explained to his minions his plan for the destruction of the Jewish people and why he thought they would get away with it. He said, ''Who remembers the Armenians?'' Well, over some 70 years later, here in the House of Representatives; we do remember those who were victims of the Armenian genocide, and we will never forget. And we should never countenance the academic integrity of our great universities being used to try to wash away the blood. That blood should be acknowledged, it should be apologized for, and we should look forward to the day when some new Turkish Government takes a new tack, a tack of recognizing the mistakes of the past, rather than using funds to try to erase them.

Mr. PALLONE. I was listening to what my colleague from California said.

One of the things that Peter Balakian mentioned to me, and I think that he is actually going to be writing a book on this subject, is that at the time when the Armenian genocide was taking place in the early part of this century, there was a tremendous amount of documentation; it was written up rather frequently in just normal daily newspapers in the United States and throughout Western Europe. It was a major topic. People were concerned about it. Help was sent over to the survivors.

Efforts were made on a diplomatic level by the United States and other Western countries to prevent it. And all of a sudden, by the time, I guess, sometime in the mid-1920s when it was over, all that disappeared. In other words, the emphasis that existed at the time, the public concern and fury just simply died out. At that point and ever since then, either the Ottoman and then finally the Turkish Government began this process of trying to deny that it ever occurred.

One of the things that he said that he was going to do was to bring out some of those old accounts at the time. I was surprised to hear that, because I figured that there was not a great deal of attention devoted to it at the time, but in fact the opposite was true.

It is kind of scary to think that something that was so much the focus of attention at the time it occurred, in a matter of 10 or 20 or 30 years could sort of be buried in the fashion that it was.

As the gentleman said, what we have seen in the last few years, really in the last 5 years, is sort of a flowering of research and books and renewed interest in the genocide. I think that is all very valuable, because that is the only way we could ever get to the point where it is recognized here in the United States and other countries.

One of the things that I know you and I are very concerned about is that we still do not recognize here in our Government of the United States, we still do not have an official recognition of the genocide. That is very disturbing and something that hopefully we will be able to correct at some point in the future.

If the gentleman will allow me, I want to talk about two other issues that are of concern with regard to U.S.-Armenian relations. Both the gentleman from California (Mr. SHERMAN) and I have been very concerned about the fact that Armenia continues to be blockaded by two of its most significant neighbors, both Turkey and Azerbaijan. Of course, we are very supportive of section 907 of the Freedom Support Act, which denies any assistance to Azerbaijan until they lift the blockade of Armenia and Nagorno-Karabagh. We have also played a role in trying to get assistance to Armenia and Nagorno-Karabagh, humanitarian assistance, which is necessitated by the fact that they do continue to be blockaded, and they have difficulty receiving certain supplies and humanitarian assistance.

I just want to mention very briefly that it is very unfortunate, and I know, as a member of the Committee on International Relations, that the gentleman from California (Mr. SHERMAN) has addressed this, that this year once again our Secretary of State, Madeleine Albright, again essentially articulating the administration's policy, came before his committee and suggested very strongly once again that section 907 be repealed.

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We are very much opposed to that. We think that it is totally inappropriate, given that the blockade continues to do anything to water down section 907. We have also been concerned that even though this House in this Congress and the President signed a bill last year that appropriated $12.5 million in humanitarian assistance to Nagorno-Karabakh, that it has not been forthcoming. I do not believe any of that money has actually gone to Nagorno-Karabakh, and the need is there.

I would ask my colleague to comment on it, that there has been some suggestion by the State Department that some of that money will be forthcoming soon, but I am still very concerned that Karabakh will not receive the full $12.5 million and that the State Department is not doing enough to make sure that that money gets there. I yield to my colleague.

Mr. SHERMAN. Mr. Speaker, I thank the gentleman. Recently, before our committee, representatives of the State Department claimed that the first aid program within the borders of Nagorno-Karabakh would be established within the next few weeks. We appropriated that money for a fiscal year that began October 1, and I wish that they had acted more expeditiously. I share in my colleague's concern to ensure that the $12.5 million goes to where it is supposed to go, where we appropriated it; that is to the victims of the war who are currently within the borders of Nagorno-Karabakh.

Unfortunately, as the gentleman knows, our government chooses not to recognize the independence of Nagorno-Karabakh. We joined the foreign minister of Nagorno-Karabakh just a few days ago in recognizing the tenth anniversary of the independence of that nation, a nation that fought for its independence just as we in the United States did; a nation whose government reflects the desire for independence that the vast majority of its people share, and a government that I hope will be recognized by the United States.

I know that American oil companies are very anxious to see peace in that part of the world, to make sure that oil can be drilled for and obtained and that pipelines can be built. But the best route for those pipelines is through a peaceful Caucasus, and peace will arrive in the Caucasus when the rights of the people of Nagorno-Karabakh are recognized. I yield back to the gentleman.

Mr. PALLONE. Mr. Speaker, we of course are going to make a major effort over the next few months to monitor this assistance going to Karabakh and to make sure that it does get to those who need it, and also to make sure that section 907 is not repealed. Obviously, we are going to have the battle over the next few months also to make sure that over the next fiscal

year this humanitarian assistance gets to both Armenia and Nagorno-Karabakh.

I wanted to move on, if I could, to our other area of concern and that is India, because India in fact just went through a very successful election. Once again, India of course is the largest democracy in the world, and it amazes me every time they have an election that so many hundreds of millions of people are able to vote in an election and that it is essentially a fair election and that people vote and take part in a very orderly process.

One of the things that I know that the gentleman from California (Mr. SHERMAN) and I have been concerned about is that we want to make sure that India continues to rise in importance, if you will, and be a priority of American foreign policy. I think that we have seen that happen over the last few years. We have seen that the amount of trade that takes place between the United States and India continues to grow. The United States is India's largest trading partner right now, and in addition, at the presidential level, at the cabinet level, we have seen many of the cabinet members visit India to show that India continues to be more and more important as part of the United States' foreign policy, and the President, President Clinton is again committed to going to India sometime in 1998, which again shows the significance of India.

One of the things that we have been working on, though, in the same vein, we had the opportunity earlier this week on Tuesday at our India Caucus meeting to hear from Bill Richardson, who is the United States Ambassador to the U.N., one of our former colleagues here from the House of Representatives, and we discussed a number of issues that pertain to current U.S.-India relations at the United Nations. However, I just wanted to talk briefly about the topic of India's permanent membership to the U.N. Security Council.

I introduced a House Resolution, along with the gentleman from California (Mr. SHERMAN) and other Members of our India Caucus last year, that calls upon this body to express our support for India becoming a permanent member to the U.N. Security Council. Last year the president of the U.N. General Assembly, Mr. Razali Ismail, introduced a plan to expand the U.N. Security Council permanent membership, and although this plan has not moved forward, I believe that expansion of the Security Council is extremely important. It is the only organization within the U.N. that can apply economic sanctions and military force to carry out its decisions. I also believe that membership to the Security Council should better reflect developing countries, and India in particular qualifies for membership because of its size and crucial role in South Asia.

I wanted to talk about this a little more, but I would like to yield to my colleague on the same subject.

Mr. SHERMAN. Mr. Speaker, I want to thank the gentleman for putting together that meeting with our former colleague, Bill Richardson, who represents us so well at the United Nations.

As Mr. Richardson pointed out, it is the policy of the United States to see an expansion by five seats of the Security Council. There are issues of regionalism as to where those seats should be allocated. There is a belief that Germany and Japan, being such powerful nations and such large contributors to the United Nations, should be represented.

But aside from issues of regionalism, if India were its own region it would be larger than Sub-Saharan Africa, larger than Latin America. We are talking about a population of virtually 1 billion individuals. For a nation that size not to have a seat as a permanent member of the Security Council flies in the face of its importance. One-fifth of humanity lives in India, and at no time should that one-fifth of humanity be excluded from the Security Council.

We do not have to change our position with regard to Latin America, we do not have to change our position with regard to the other countries of Asia or the countries of Africa, but if there are going to be 5 new seats on the Security Council, it should be the position of the United States that one should be reserved for the one-fifth of humanity that lives in India. I yield back.

Mr. PALLONE. Mr. Speaker, I agree with the gentleman.

My understanding is that the Clinton Administration, as the gentleman said, supports expansion to five seats: one for Germany, one for Japan, and then one each for Asia, Africa and Latin America. The Clinton Administration is not saying that the Asian seat should be India at this point, but we believe that it should be, and we are hoping that at some point we can get this administration and the State Department to agree that that Asian seat should belong to India.

Mr. Speaker, I just wanted to say that we understand that this process of expanding the Security Council and gaining India access to one of the seats may take some time. It seems like to some extent it has been somewhat slowed down in 1998, but if it does not come up this year, it probably will come up again, and we are going to continue to make the fight that the United States should take the position that India be included as one of the permanent members; again, part of the process of stressing the importance of India not only in terms of the world but also in terms of our foreign policy, and I think that our caucus members have played a major role in trying to make that point.

So at this point I would like to yield to my colleague from California and thank him for participating with me in this Special Order where we talk about these issues relating to Armenia and India, and thank him for all of his support with the caucus.

FOREIGN POLICY AND DOMESTIC CONCERNS

The SPEAKER pro tempore (Mr. HASTINGS). The gentleman from California is recognized for the balance of the hour as the designee of the minority leader.

Mr. SHERMAN. Mr. Speaker, I would like to thank the gentleman from New Jersey (Mr. PALLONE) for creating, founding, heading, and organizing both the Armenian Caucus and the Indian Caucus long before I got to Washington, and to thank him for the leadership that he shows in building a relationship between the United States and the first full-fledged democracy in the Caucasus, namely Armenia, and his leadership in cementing a strong relationship between the United States and the world's largest democracy, namely India.

I became aware that I would be speaking before this House just a few minutes ago, and accordingly, I have sought to put together my notes as quickly as possible. I am going to be dealing with a number of subjects, several involving foreign policy, since Mr. Pallone and I have just discussed elements of foreign policy, and then focusing on some domestic concerns.

The first foreign policy issue that I would like to focus on is the need to establish an American embassy in the eternal, indivisible capital of Israel, Jerusalem. In 1995 this House and the other House passed, and it was enacted into law, a statute, the Jerusalem Embassy Relocation Act, which calls upon the United States to establish its embassy in Jerusalem rather than in Tel Aviv.

That act states that the new embassy should be built and completed and opened by May of 1999. In a simple phrase, it says, as to the American embassy, ''next year in Jerusalem.'' Unfortunately, the State Department has not even begun the logistical work to move the American embassy to Jerusalem. Its failure to do so shows not only a lack of respect for the statutes passed by the House and the Senate, but also a missed opportunity.

We have an opportunity to show that we stand with Israel on one of the most contentious issues in the Middle East; that we recognize that since 1950 Jerusalem has been the capital of Israel; and that we recognize that since 1967 Jerusalem has been the united and indivisible capital of Israel. Instead, we continue to maintain our embassy in Tel Aviv. This is clearly a mistake.

There are several other similar mistakes committed by the State Department. For example, when an American traveling in Jerusalem gives birth, the passport of that newborn American indicates that that person, that new American baby was born in Jerusalem, which seems logical, except when one realizes that if that same baby had been born in Rome, the passport would say, place of birth, Rome, Italy. Place

of birth, Paris, France. Certainly if an American child is born in Jerusalem, the passport should indicate that the place of birth was Jerusalem, Israel.

We make a number of other mistakes. We maintain a consulate in the eastern section of the unified city of Jerusalem, but we treat that consulate as somehow independent of the American embassy to Israel. Certainly, that consulate should report to the Ambassador, just as every other consulate reports to the embassy in the relevant country.

This year, the State Department is asking our committee, the Committee on International Relations, to authorize hundreds of millions of dollars for the construction of new embassies, and in particular for a new embassy in Berlin. The poetry is not lost on this Member.

□ 1545

Here we have the State Department wanting to spend hundreds of millions of dollars, of our tax dollars, building a new edifice glorifying the union of Germany and the unification of Berlin. That is a fine thing, but not if it precedes the construction of a new embassy in Jerusalem.

That is why I hope that my colleagues will join me in the enactment of appropriate legislation to say that no American Embassy should be built in Berlin until we move the American Embassy to Jerusalem.

At the end of World War II both Berlin and Jerusalem were divided. Jerusalem was reunified in 1967, yet the American Embassy was not moved there. Berlin was reunified decades later, and yet the State Department wants to build a large, new edifice in Berlin before moving the U.S. Embassy to Jerusalem.

The best way we can ensure that we have not dishonored the victims of the Holocaust is to ensure that before a gleaming new building is built in Berlin with the American flag, symbolizing our relationship with a new and rebuilt Germany, that we build an Embassy in Jerusalem indicating our steadfast relationship with a reborn Israel.

DOMESTIC POLICY

Mr. Speaker, I have concluded my remarks on international policy, except for those dealing with international trade, which I would like to address in a few minutes. Before I do that I would like to focus a little bit on domestic policy.

First, I would like to thank President Clinton for declaring first, Ventura County, and then Los Angeles County, to be disaster areas eligible for Federal relief. The President went even further. Just 10 days ago, he visited the disaster scene and conferred with many of the disaster victims from both Los Angeles and Ventura Counties.

The President's responsiveness is something that those who suffered from the El Nino rains and floods will always remember. Now, I call upon the Army Corps of Engineers to work with officials in the City of Thousand Oaks to make sure that on an expedited basis, the sewer system of that city and its other waste treatment facilities are rehabilitated.

All we are asking is that the Army Corps of Engineers expedite its permitting process to make sure that that facility is fixed before this coming fall and winter, when we need to make sure that those facilities are operational.

I would like to address a bit the budget agreement that we crafted in this House last year, and point out that the new revenues coming in, the new so-called surplus, is beginning to fray some of the discipline we exercised last year.

I turn to many of my colleagues who, along with me, care so much about helping the poor, and point out that while we could all think of new programs to help the poor, nothing has done as much for the poor and unemployed in America than the rebound of the American economy, the foundation of which is fiscal responsibility here in Washington.

That is why I think we must continue to exercise restraint, continue to say that new programs must be paid for by cutting old programs, and make sure that we not only balance the budget, but try to begin to build up a surplus, a surplus available to protect the Social Security system.

Likewise, many friends of mine on the other side of the aisle and on both sides of the aisle are anxious to see the Federal Government do as much as possible to help business. We have many fine programs to help business, whether they be tax credits, whether they be the programs of the Small Business Administration, or the Department of Commerce. But none of those programs is as important for business expansion as maintaining fiscal discipline here in Washington.

There is the fact that while countries in Asia are suffering mightily, while Japan is in the doldrums, while unemployment is in the double digits in most countries of Europe, during all of that, America's economy is on the rebound, and thankfully, now, California's economy is on the rebound. That is due in large part to fiscal discipline here in Washington, discipline that we must, must retain.

Within the context of that fiscal discipline, last year we were able to provide money from the Land and Water Conservation Fund, some $699 million of additional funds, to acquire environmentally sensitive lands around the United States. This year there is no request for the administration to spend any additional and extraordinary amount.

Yet, as we approach the end of the millennia, it is critical that we look around this country, find the environmentally sensitive lands, prioritize them, and acquire those lands that we can afford. Nowhere is that more important than in the Santa Monica Mountains National Recreation Area.

My colleagues have heard me talk about the Santa Monica Mountains, to where they are beginning to call me Santa Monica Mountains. But this is a national park visited by over 30 million people every year. Over 30 million people visit the beaches and the mountains within the Santa Monica Mountains National Recreation Area. Over 1 in 17 Americans live within a 100-miles drive of the Santa Monica Mountains, one out of every 17 Americans.

It is important that we continue the process of saving those mountains from development, of expanding the Federal ownership, along with the State and county ownership, to look for the day that we will complete the land acquisition plan. I will be asking the Committee on Appropriations this year for $8 million to acquire some critical land in the Santa Monica mountains, lands that will expand the Backbone Trail and widen it so it is large enough not only for hikers, but that the trail is wide enough so that animal populations in one part of the park can move to another part of the park.

I am told by biologists that this is critical to maintain healthy animal populations, so that our furry friends are not forced to date their cousins, but rather, can move from one part of the park to another to establish healthy and viable animal populations.

I want to talk a little bit about the tax cuts that this House and the Congress adopted last year. One element of those tax cuts was the child tax credit, $400 per child in 1998, growing to $500 in 1999. Unfortunately, neither the IRS nor the press has done a very good job of telling parents how they can take advantage of this credit.

For most Americans, the child credit is something their accountants are saying, well, that is for next year. There is no line for it on the 1997 tax returns that Americans are completing this month and next month.

The fact is that our constituents can get the benefit of the child credit now, simply by going to their employer and filling out a new W–4 form, which will reduce their withholding, which will increase their take-home pay, and accomplish the goal of this Congress, which was not to make people wait until April 15, 1999, but to provide working families with tax credits today.

I would urge the press, I would urge the IRS, to do a better job of telling those who are eligible for the child credit and those that are eligible for the HOPE scholarship and the other tuition tax credits to go to their employer, fill out another W–4 form, and take advantage of this congressionally mandated tax relief today.

While I am focused on fiscal issues, I would like to turn the House's attention to our international trade deficit. For all too long our foreign policy seemed to be marked, and may still be marked, by the following plea, where America goes to other countries and says, we would like the honor of defending your country for free. In return

for that great honor, we would like to make trade concessions.

America needs to move forward, both on the burden-sharing fronts, so our richer allies assume a more full and fair share of the costs of defending the world from rogue States, from terrorists, et cetera, but also we must move forward to a more aggressive trade negotiation regime.

We had representatives of the State Department come before the Subcommittee on International Economic Policy and Trade of the Committee on International Relations just last week. They spoke with pride about how the United States had never been cited for a foul, had never been criticized officially by any of the referees of international trade. They said it with pride.

Earlier today I spoke with pride of the UCLA basketball team of today and of former years. Trust me, that team would not have been successful if they could proudly state that in every game they never committed a foul. If you want to win the game, you have to get in the paint, you have to throw some elbows, you may be called for a foul, you have to dive for the loose balls, you have to dive for the rebounds, jump for the rebounds as well, if they happen to be higher than you are, and that is not what our foreign policy establishment is doing. They are losing every game in the realm of international trade, and taking pride that they have never been called for a foul.

Instead, we have to focus on the one great deficit that we have not been able to cure; that is, the trade deficit. For decades, as we ran a larger and larger trade deficit, we were told by international economists, that is not the other country's fault, that is the fault of the United States Congress, because the trade deficit will always follow if you have a fiscal budget deficit.

An economist presented very clear arguments as to why a Federal deficit meant that we had to borrow from abroad. By borrowing from abroad, we increased the value of the dollar in international trade, and by doing that, we made our goods more expensive, imports cheaper, and that resulted in a trade deficit.

It was all very logical, except for one thing; we have eliminated the Federal budget deficit, for all intents and purposes, and yet, the trade deficit does not just remain, it continues to grow. The international economists and the establishment, the foreign policy establishment, has simply shelved its old arguments and continues to say, well, do not do anything about our trade deficit.

I think it is time that America must do something about its trade deficit, and it is not by adopting one-way trade agreements in which we open our doors to imports from abroad and do not insist that other countries allow American goods to be sold there.

We must insist upon transparency. We must insist that other governments do not discriminate against our goods and services underneath the table, and where that insistence is unsuccessful, we must look at goal-oriented and result-oriented trade regimes.

I would prefer a process-oriented regime, but where a country corrupts its own processes, where it has hidden tariffs and secret rules, where a Communist government controls its own economic enterprises and tells them orally and secretly not to buy American goods, then a process-oriented trade regime is not going to work. We may have to look at a result-oriented regime.

Moving from the fiscal issues, I would like to bring to the attention of my colleagues two bills that I have introduced, or in one case will introduce later this month, designed to protect our children. The first of these bills bans packs of cigarettes that contain just one or two or three cigarettes.

When I first saw such marketing plans, I wondered what the tobacco companies had in mind, until an expert told me, those are called kiddy packs. They sell for 25 cents, and they are sold chiefly to those who are 11 or 12 or 13 years old, young kids that do not need a whole pack of cigarettes because they are not addicted yet; young kids that could not necessarily afford a full pack of cigarettes, but for their candy bar money, they can buy just a couple to start.

□ 1600

We should insist that cigarettes are sold in packs of 20. I know the FDA is trying to accomplish this through regulations, but the legality of those regulations is subject to challenge. We can eliminate any challenge bypassing a statute in the United States Congress to say no to kiddy packs.

I want to point out that we in California achieved this same goal through a unique device. Until I was elected to Congress, I served on the State Board of Equalization, California's revenue commission. And the tobacco companies came to us and they said, we would like to start selling packages of cigarettes with only one or two cigarettes in the package; and we would like you to give us a different revenue stamp so that we do not have to pay the revenue for an entire package of cigarettes if we are only going to put one or two in the package.

It seemed like a reasonable request from an industry that pays a lot in taxes, until we analyzed what they were aiming for. They were aiming for an opportunity to sell kiddy packs, packages that are chiefly purchased by young teenagers. We at the State Board of Equalization in California said no to kiddy packs.

We said no, we will not issue a different denomination revenue stamp; and by insisting that the full tax for a package of cigarettes be paid whether the package contains 20 cigarettes or two cigarettes, we made sure that kiddy packs were not sold in California.

It is now time for Congress to act, and not act through the back door, not hope that some tax device will not be evaded, but instead, have a simple, direct, absolute ban from coast to coast against these pernicious cigarette packages.

A second bill that I would like to commend to my colleagues is the Child Protection Act. This act is designed to make national something that has worked very well in California.

Last year there were over 425,000 children who were sexually abused. It is time for the Federal Government to do all it can to empower parents to be able to protect their own children. In California, working pursuant to Megan's Law, we have established a single telephone line that people from all over the State can call. If they identify a particular adult, identify how that adult comes into contact with their children, whether it be as a babysitter or a Scout leader or whatever, and ask whether that individual has been convicted, not merely accused, not merely rumored, but convicted of a sexual predatory offense, these parents will be given that information.

There have been over 11,000 inquiries to this line that is maintained by the Justice Department of the State of California, and of those 11,000 inquiries, on over 1,000 occasions parents were advised that the individual about whom they sought information had indeed been convicted of a sexual predatory offense.

For example, there was an amusement park that noticed that an individual would show up every day by himself and would often talk to children, strike up friendships there at the amusement park, that this individual had purchased a year-long pass but he never came to the amusement park with his own children. They checked on that individual, who had purchased a year-long pass, and determined that he had been convicted of a sexual offense involving a child under age 14.

There were several other circumstances that are just as poignant. Already more than 30 of my colleagues have joined me in cosponsoring the Child Protection Act. I urge the rest of the Members of this House to do so as well.

What this act would accomplish is to take national that information line that is operating in California. First, we would work from a national database so that instead of being able to report on whether the individual had been convicted in California, we would be able to report to parents whether that individual had been convicted anywhere in the United States. In this way, we would provide better information to the parents of California.

Just as important, we would be able to provide information to parents in all 50 States and to provide the same kind of protection that has protected over 1,000 children in California, provide that same kind of protection to children from coast to coast.

Mr. Speaker, there are many more issues that I could review, but I think I am approaching the end of my time.

GLOBAL CLIMATE CHANGE

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Under a previous order of the House, the gentleman from Pennsylvania (Mr. PETERSON) is recognized for 5 minutes.

Mr. PETERSON of Pennsylvania. Mr. Speaker, we are hearing increased rhetoric, some of it bordering on fantasy and hysteria, concerning global climate change. What is lacking and desperately needed is a full and open and robust debate. Is our climate changing?

One temperature measuring system suggests that since 1900 there has been less than 1 degree of warming. Two other systems point to a slight cooling trend. While treaty supporters assert that the science of issues of global climate change are settled, the evidence clearly and loudly says that the debate should just be beginning.

Here are some of the risks not mentioned by treaty supporters: the risk that energy suppression mandates will devastate employment in major U.S. industries; that rising fuel and electricity prices will depress the living standards of American families; that new tax and regulatory policies will handicap employers, enrich special interests and expand bureaucracy and risk the surrendering of more U.S. sovereignty to the U.N.

Now, some people think that the Kyoto Protocol is the flawed execution of a bad idea, based on the conceit that government planners can know today what will be the worst calamity facing mankind 50 or even 100 years from now. Mobilizing the nations of the world and spending vast sums to fend off one possible threat that may prove to be nonexistent or trivial compared to the age-old scourges of poverty, hunger, disease and oppression is not a prudent insurance policy.

The resources available to protect human health and safety are limited, especially in the Third World. Any policy that diverts trillions of dollars from real problems and real science to speculative and imaginary ones, or that locks mankind into politically correct and industrial policy schemes can only make societies less resilient, less able to meet the challenge of an unknown future.

Mr. Speaker, should we risk the American economy and way of life before the evidence is conclusive? Let us have the debate first. Let us not approve the many billions of dollars that the President has requested to start implementing in this year's budget. The President has not submitted a treaty to the Senate. No debate has been held in the Senate. No ratification of a treaty has taken place.

Let us tell the President, no, no, no, on funding until we have the debate first and until the evidence is conclusive. I have no doubt that if the evidence is conclusive, if we do come to that conclusion, this Congress will do whatever is necessary to resolve the problem.

But until we have that debate, until the evidence is in, until we have absolute proof, let us say no to the President to spending billions of our tax dollars, starting this year, on a treaty that has not been approved by the Senate.

REPUBLICAN AGENDA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from California (Mr. RIGGS) is recognized for 60 minutes as the designee of the majority leader.

Mr. RIGGS. Mr. Speaker, I want to thank our leadership for designating me as the person representing our leadership and House Republicans during this special order. The very first thing I want to do is compliment the gentleman from Pennsylvania, Mr. PETERSON, who preceded me to the well for his very, very incisive remarks on the global warming theory, particularly when we get so much ''chicken little'' hysteria on environmental issues back here in Washington that are not always supported by very sound science. I thank him for his comments today. I join with him in his efforts.

I also wanted to take the floor to address the House during this special order because just a couple of days ago the President accused congressional Republicans, since we are the majority party and we do have a responsibility for governing the legislative branch of government and the country, to accuse us of being a do-nothing Congress, specifically with respect to his proposals.

So I would like to challenge his comments, I do not think they should go unchallenged or that we should allow them to stand without a rebuttal, and try to put things in context for my colleagues; and to, and for, frankly, our fellow Americans who might be viewing or listening to this debate.

First of all, with respect to the President's new education proposals, let me assure my colleagues that we Republicans in the Congress have our own agenda. It focuses on common-sense reform, not creating more bureaucracy back here in Washington, not funding a host of new Federal programs and regulations with your hard-earned tax dollars.

We would prefer, we Republicans would prefer to focus on parental involvement and parental choice in education. We understand that the key to improving education in America today is to empower parents to choose the education and the schooling that is most appropriate, that they deem most appropriate for their child. We understand that empowering parents through greater choice in education is the only way really to make our education system more competitive and, therefore, more accountable. It is called ''bootstrap improvement'' because empowering parents, giving parents more choice, and I favor giving parents the full range of choice among all competing institutions, public, private or parochial, that has been my position even before I was elected to Congress and certainly before last year when I assumed the chairmanship of the education subcommittee in the House.

I personally believe that empowering parents to choose the school and education that is appropriate for their child is the only way to make schools more accountable. However, that involves what we would call a paradigm shift. That involves shifting the focus in education from the providers of education, the whole education establishment, including the very powerful teachers' unions, shifting the focus from them, the providers of education, to parents, the consumers of education.

We are working hard to do that here in Washington. We are working hard to help working families and stay-at-home mothers.

With respect to the President's child care proposal, he wants to put more and more emphasis on institutionalized, that is to say ''outside the home,'' child care, especially for families where both parents work. We Republicans believe that as a matter of government policy and in terms of spending again your hard-earned tax dollars, we should not favor institutionalized day care. We should not, as a matter of policy, almost discriminate against families where one parent chooses to stay at home in order to be there for the children, in order to provide the children with the additional care and nurturing that they need during their early or all-important formative years. In fact, we think that, again with respect to child care, the President's emphasis is in the wrong place, that we ought to reverse his emphasis and put more emphasis on helping families keep more of what they earn so that both parents do not necessarily feel compelled to work outside the home in order to be able to meet the needs, the financial needs of that family.

With respect to education, we also want to drive more money down to the local level. We would prefer that at least, at least 90 cents of every Federal taxpayer dollar for education, every dollar that you send to Washington that is earmarked for Federal education purposes and programs, we would like to ensure that at least 90 cents of every dollar go back down to the local level, ideally to the classroom to pay someone who actually knows that child's name, who works with that child on a daily basis, rather than continue to use it to build more bureaucracy back here in Washington.

☐ 1615

That only leads to concentrating more power, more money, more decision-making in Washington as we Federalize education and move further and

further away from the long-standing American tradition in public education of local control and local decision-making.

Now, I specifically want to challenge the President's assertion the other day that this has been a do-nothing Congress, or that we are at risk of falling into that mode. Nothing could be further from the truth.

It would be wonderful to have the opportunity to actually debate the President or some high-ranking official in his administration, because the truth of the matter is that last year we passed more than a dozen common sense education proposals either through the Congress, through the House, which are now pending in the Senate; or through the Congress which were vetoed by the President; or, in a few cases, legislation that we were actually able to pass through the Congress and convince the President to sign into law.

But we now have proposals pending in a number of areas. We have a reading excellence bill that was passed by the House of Representatives and is now pending in the other body, which is how we are supposed to refer to the Senate, that provides literacy grants for parents.

We have a job training bill and a vocational education and technical training bill for young people that focuses on young people who are not college-bound or who, if they go to college, will not complete college, so that those young people can hopefully get the education and job skills that they need to take advantage of this knowledge-based economy and all of the unfilled information technology jobs in this economy that pay a living wage. I will have more to say on that in just a moment.

We did pass a bill improving educational opportunities for children with special educational needs, learning disabled children, and that was passed through the Congress on a bipartisan basis and signed into law by the President.

We also have a bill that I authored that addresses juvenile crime, since juveniles, young people, account for the fastest growing segment of the criminal population. And it is a bill that I believe is tough on punishment but also smart on prevention. That legislation has passed the House and is pending in the Senate.

So I would like to know from the President what he proposes to do about the fact that so many of our bills that have emanated here, originated in the House of Representatives, actually originated in my subcommittee, passed through our full committee, passed through the House and are now languishing in the other body, the Senate, which all too often becomes the graveyard for well-intentioned legislation. I would like him to work with us to convince the members of his party in the other body to allow our legislative agenda to go forward. Because otherwise his comments about this being a, quote-unquote, do-nothing Congress are a little bit disingenuous.

We also want to provide more Federal taxpayer assistance in the form of scholarships or, as some prefer to call them, vouchers to needy inner-city children, beginning here in the District of Columbia. The District of Columbia public schools have the highest dropout rates and the lowest test scores of any large school district in the country. And again I want to emphasize, Mr. Speaker, that the President should support these education initiatives before creating a host of new programs that would compete with these programs for the same limited, in fact, precious Federal taxpayer dollars.

So I guess my first message to the President is first things first. Let us support the programs that we have already passed through the House of Representatives, not new ones that happen to sell well in an election year because they make for a catchy sound bite or because it is a proposal that is based on some poll or on some focus group. That is not the way to make good policy.

And I am very disturbed that the administration is also proposing now to cut, to cut, everyone heard me right, the President in his budget proposal to the Congress is now proposing to cut some very important education programs, while on the other hand talking about creating a bunch of new education programs. That does not make a lot of sense.

In fact, one of the programs that the President and his administration are talking about cutting is the Even Start Family Literacy Program. That is a program that is focused on very young children. It is an expansion of the Head Start program because it also works with the parents of those young children who come from disadvantaged backgrounds when the parents themselves have reading problems or lack fluency in the English language, which is, after all, the commercial language of our country. And in my view we should designate the English language the official and common language of our country as well.

So the President is proposing, or at least his administration is proposing to cut the Even Start Family Literacy Program, and he is proposing to cut funding for the Individuals with Disabilities Education Act. It is called IDEA, and that acronym, since there is an acronym in Washington for every program, that acronym stands for the Federal special education program. In fact, it is a civil rights and special education program because it is designed to ensure that every child with a learning disability receives a free and appropriate education under our civil rights statutes.

Now, we know this program works. We made modifications and improvements to it last year on a bipartisan basis and the President signed that legislation into law. And no sooner do we get it signed into law than the President turns around and is proposing to cut funding for that program.

Now, consider this. When I talk about him proposing to cut funding in his budget proposal, this program, IDEA, the Federal special education program is the only curriculum mandate imposed on State and local school districts by Washington. There is no other curriculum mandate in Federal law, yet we continue to underfund this mandate.

In fact, I think the best way to think of it is probably the mother of all unfunded Federal mandates because we require that local school districts comply with this law. Like I said, it is a curriculum and legal mandate, yet we have never fully funded compliance with that mandate by State and local school districts.

We personally believe, we Republicans, that that should be one of our country's top priorities. That should be the number one education priority in this country. Because when Congress first passed this law way back in 1975, we promised to pay 40 percent of the additional cost of special education created or incurred as a result of the Federal legislation.

However, today, even with the historic funding increases that we have given this program in recent years since Republicans became the majority party in the Congress, Federal taxpayers are only covering 9 percent of the total cost of special education in America today. Nine percent versus the original promise back in 1975 of 40 percent.

And even though we are at 9 percent, a record high, the President wants to reduce that next year in his budget proposal. We believe that a promise made should be a promise kept, and that we ought to live up to the promise made 23 years ago, especially to those families who have children with learning disabilities and special needs.

We also know that there is plenty of room to cut the Federal education bureaucracy here in Washington. The Federal Government today has roughly 788 education programs at a cost of $97 billion. My colleagues heard me right; 788 programs on the books, administered by the Department of Education and dozens of other Federal agencies and commissions spread across the whole Federal government's bureaucracy.

We believe that there ought to be a bipartisan effort in the Congress to focus on reforming existing programs before creating expensive new and potentially duplicative Federal programs. We have certainly had ample debate here in the Congress, and we have heard from the Secretary of Education and others in the Clinton Administration who claim that somewhere between 100 to 200 of these 788 programs are actually not real education programs because they have never been funded.

But our response to that is, if that is the case, if these programs have been

created by an act of Congress but never funded, then they should be taken off the books. It is time to completely sunset them, get rid of them. If we did that, it would just narrow us down to or it would reduce us down to somewhere in the neighborhood of 500 to 600 programs that we already have for education in America today, even before we begin discussing the new ones that the President proposes.

Secondly, I want to make the point that the money is really not there for a host of new Federal education programs. The President's spending proposals would return us to the era of big government. And it was just a few years ago that he stood right here behind me at this podium at the microphone to address the Nation and the Congress during his State of the Union address and declared that the era of big government was over.

Well, one could not tell that from looking at his budget proposal this year. His new proposals would cost American taxpayers $10 billion, that is capital B-I-L-L-I-O-N, $10 billion more in new spending over the next 5 years.

And it is a phony proposal. Why do I say phony? Because it assumes that the Federal Government is going to get a windfall from this settlement of the large class action tobacco lawsuit brought by the State governments against the tobacco companies. Well, anyone who has followed those discussions or those negotiations having to do with the tobacco settlement knows that the outcome of those negotiations is very problematical.

I think it is very doubtful whether we will see any money from the tobacco companies in the next Federal fiscal year, yet the President is proposing to use that money to help fund $10 billion in new spending over 5 years. We think it is wrong to mislead American families into thinking that they will have new programs funded by a tobacco settlement that may never come to pass, number one; and, number two, if we do get a settlement of the tobacco lawsuit, the proceeds of that settlement ought to be used for anti-tobacco initiatives aimed at our young people.

The proceeds from that lawsuit ought to be used to discourage and prevent tobacco addiction on the part of our young people. They ought to be used also for more medical research into the causes of cancer in the hopes we can find a cure to cancer, because that would have a tremendous effect of reducing public health costs in our big Federal programs, Medicare and Medicaid.

So I do not think we can make a just argument that the tobacco settlement proceeds should be used to pay for a host of new programs. And by the way, it appears that the American people are very leery of new Washington spending. According to a recent Louis Harris poll, 45 percent of all Americans said we should use the budget surplus to reduce the debt. That was their top priority in terms of spending any actual Federal budget surplus, and we still have a ways to go before we run a surplus back here in Washington. Forty-one percent said they wanted to reduce taxes by the amount of any surplus. And only 13 percent of the public said that they would increase spending on, quote, valuable government programs, with a Federal Government surplus.

I also am concerned that the President is putting Washington in charge of our schools. It is clear when we look at his proposals that he wants to nationalize education by federalizing initiatives and solutions to our educational concerns and problems back here in Washington. It is almost as if he wants the United States Congress to become the de facto national school board, and we do not think that is the way to go. No matter how these programs are designed and funded, they will ultimately come with Federal regulations attached. That is the one absolute given. That is what happens here in Washington.

Now, President Clinton would rather fund programs that support the Washington education bureaucracy than programs that send funds directly to teachers in classrooms. That is the philosophical conflict between the Democratic party and the Republican Party, and it is a conflict that plays itself out in debate in this House and in the committees of this House on a daily basis.

In fact, the President wants to cut funding, and here is another area where he proposes to cut education funding, something that we do not hear from the administration and we do not hear often from the news media. The President wants to cut $476 million in Federal education aid that goes directly to communities. He wants to cut $476 million in Federal education aid that goes directly to communities in the form of a block grant while increasing, while increasing the U.S. Department of Education activities by $143 million.

His budget proposal flies in the face of the priorities of local control in education and empowering parents to choose the schooling and the education that is right for their children. The President wants to completely eliminate the Title VI State block grant which provides funds for teacher training, technology and education reform. This is a program that is used by school districts around the country to buy much-needed computers, to develop school technology, and to implement parental involvement activities.

□ 1630

In fact, last year 191 Members of this body, the House of Representatives, voted for my legislation, the HELP scholarships legislation, that would have allowed States and local communities to use funding under this Title VI State block grant, to also provide scholarships, tuition scholarships or vouchers, to low-income families. And now we learn, perhaps as a result of that proposal, that the President wants to eliminate the program altogether.

So here we have the President talking about reducing funding for special education, eliminating the State block grants for education, and cutting money for the Even Start Family Literacy Program. He wants to cut two of the most effective programs that drive money to the local level, the Even Start Family Literacy Program and the Block Grant Program, as well.

Now, the President's new spending proposals also duplicate existing Federal programs. The President has proposed, like I said earlier, a host of new or expanded teacher training initiatives in technology, in urban areas, and in bilingual education. We do not understand why these priorities cannot be funded by existing programs, programs that we already have on the books, programs that we are already funding, like the Eisenhower Professional Development Program or those Title VI block grants that I just mentioned.

He is also proposing a new program called the Educational Opportunity Zones Initiative that looks an awful lot like the existing Title 1 program, which is a 30-year program that provides remedial education to our disadvantaged children. So it is hard not to be a little skeptical, even cynical, about the President's proposal because it seems to us, again, to be largely a poll-driven proposal full of catchy sound bites in an election year, and an attempt to use this particular issue, education, which is so important to our country and so near and dear to the heart of American parents, to use that issue for partisan political advantage during an election year. And I would have sworn I heard the President say in his State of the Union that we ought to make sure that partisan politics stop at the schoolhouse door.

We recognize that teaching is important, and that is why in the coming weeks, House Republicans, we will be putting forward our own proposal in the area of teacher training and classroom size reduction. But we are not going to be creating new programs as we do it, we are going to do it in the context of the higher education bill that is now pending in the Committee on Education and the Workforce; and we are going to make sure that it is fully paid for.

By that, I mean we are going to make sure that the cost of creating this new teacher training and classroom size reduction initiative is offset by cutting spending somewhere else in the Federal budget. We are very committed to improving the quality of teaching in America. Let me stipulate that I believe that teaching is a missionary calling. I believe the old saying that a teacher can affect eternity because he or she never knows where their influence might end.

But the point with respect to teaching is very simple; we want quality, not necessarily quantity. The administration takes the opposite approach; it

is quantity not quality, they say. That is why they are talking about 100,000 new teachers, when in reality we do not believe that there is a teacher shortage on a national basis in America, that the teacher shortage, where it exists, exists in just a few areas of our Nation and then it is a shortage in getting good quality teachers.

We also believe that we have to focus on more effective ways to improve student learning, and the best way to do that is to improve in traditional teacher training at colleges and universities. We focus a lot on how to teach, but not enough on what to teach in American education today.

So we are going to see our proposal coming forward in the next few weeks. We hope it can be bipartisan. But we will have more of an emphasis on quality rather than quantity when it comes to improving teacher preparation and teacher training in America today.

I also want to touch one of the President's other initiatives, and that is school construction. Now, we Republicans recognize the concerns of parents who live in those communities that have overcrowded and/or crumbling schools or schools that are deteriorating because of a lack of maintenance. They already have a lot of deferred maintenance, a lack of funding to keep abreast of maintenance needs and certainly a lack of funding to help expand schools in those communities that have a growing school-age population.

However, asking the Federal Government, Federal taxpayers to become involved in what is traditionally a State and local responsibility; that is to say, the funding of school facilities, raises a host of new concerns. And rather than ram something through the Congress, we want a careful, deliberate, thorough debate about school construction and the role of the Federal Government and Federal taxpayers in addressing that concern.

We believe that the President's proposal could erode local support for public schools because, once again, it would place Washington in the driver's seat with Congress as a national school board determining which communities would qualify for school construction assistance from Federal taxpayers and which would not, conversely.

A lot of States, including my own State of California, have already passed new construction initiatives. And I worry that this new Federal Construction Program for local schools would, in essence, punish States and communities that support their schools and reward those that do not. So we want to have a very careful, thorough discussion of the school construction needs of American communities and a debate about the legitimate Federal interest and role in addressing that need before we even consider creating yet again another Federal Education Program at considerable expense to Federal taxpayers.

I wish we could focus more when we talk about education on local control and more accountability, as I said in my opening comments, through competition and choice. I am very proud of the work that we have done in this Congress on charter schools. Charter schools are independent public schools that are free of a lot of the usual red tape and regulations that all too often strangle innovation and flexibility and site-based decision-making in education.

We were able to pass a bill through the House of Representatives. Once again, it is now like so many of our other initiatives pending in the other body, the Senate, that would help States and local communities create more charter schools, which is the first step on the road to full parental choice in education today.

I cannot think of a better way, though, to empower parents and teachers than through the idea of independent public choice schools, like charter schools, where more decisions can be made, not just at the local level, but actually at the site level on that school campus. That is one reason why I like the idea of charter schools.

I also favor the idea of tuition tax credits and opportunity scholarships. I think it is, perhaps, time that we built on the centerpiece of last year's tax relief legislation and the centerpiece of the Contract with America, I might add, which, despite the opposition of so many of our Democratic colleagues in the Congress, is slowly but surely becoming law.

I think it is time that perhaps we built on the centerpiece of the tax relief legislation and the Contract with America, the $500 per child tax credit for families with dependent children, and credit a new $500 per child tax credit, but this one specifically and solely for education purposes. It would be a $500 per child tax credit that any family could use to meet the educational needs and expenses of their children.

They could use it at a public school, or they could use it at a private or parochial school. They could use it for any legitimate education purpose as they see fit and as they deem appropriate for their child, because that is very much in keeping with the idea of parental choice.

It respects the idea of the fundamental truism that it is their money, and it is their child. It is their future that we are talking about when we discuss parental choice in education.

I mentioned our literacy grants for parents that are already in our reading excellence bill. That has passed the House once again; now pending in the other body. I believe that we ought to go one step further and reform our Federal bilingual education programs this year in this Congress, with a goal of every child being able to read and write by the end of first grade in English, the official, the common and commercial language of our country.

My pending legislation to reform Federal bilingual education programs would give parents the right to decide whether their child participates in a bilingual education class. It would require that local school districts and local schools obtain the written consent, the permission of the parent before their child could be enrolled in a bilingual education program.

Lastly, I want to say on education that I am concerned that so many of our young people are losing out in today's economy. Mr. Speaker, we have somewhere in the neighborhood of 350,000 to 400,000 unfilled good paying jobs in our economy today, with our economy creating more jobs, more jobs because the economy is prosperous, creating more such jobs with every passing day.

What are these jobs, and where are these jobs you might ask? These are information technology jobs. They are relatively high skill. They pay a high entry-level wage, a living wage, I guess you could say, a living wage in the range of $40,000 to $60,000, with generous benefits at the companies that have these unfilled positions, with the opportunity for rapid advancement and a promotion to salary in the range of $80,000 to $100,000 a year.

Yet, all around us, we have young people who lack the education and job skills necessary to take advantage of these kind of jobs. These are jobs that require that a young person, young person graduating high school today, or if they go on to college, a young person who, after their 13th or 14th year of education, be technologically capable and computer-literate.

These are jobs that are all over the country, but they appear to be especially concentrated in my home State of California, many of the jobs, of course, in the Silicon Valley, which, in many respects, started our whole electronics revolution and helped create the information and knowledge-based economy of today and of the 21st Century, which is right around the corner.

But there are jobs that are also found in Austin, Texas. There are jobs that can be found in the research triangle of North Carolina. There are jobs that can be found in just about any metropolitan community in the country today. There are jobs that can be found within a few miles of the United States Capitol, just across the Potomac River in Northern Virginia, or just around the corner in Suburban Maryland.

Yet, think about all the young people in the District of Columbia, which has a, like I said earlier, a very dismal graduation rate, a very high dropout rate. About 50 percent of the kids who enter the District of Columbia public schools in the ninth grade, their freshman year, actually graduate 4 years later.

Think about those young people trapped and failing in underperforming schools and relegated to a life of poverty, all too often anyway, poverty, joblessness, hopelessness. Why can they not take advantage of those jobs that are just literally, 15, 20, 30 miles away? It is an absolute tragedy.

Why should they be sentenced to living an adult life of dependency or worse? Why should society, taxpayers as a whole, bear the cost for the failure of the school system to prepare those young people for the jobs of tomorrow? They are really not the jobs of tomorrow because, like I said, they are here and now, 350,000 to 400,000 such jobs over the country, with the economy creating more of these types of jobs, these living-wage jobs with every passing day.

Why are not our schools preparing our young people to compete and succeed in a knowledge-based economy? Well, we are struggling with the answers to that, but it all comes back down to a lack of academic preparedness for our young people.

I personally despair a great deal because I know in my heart of hearts that we, as a country, cannot afford to lose another generation of urban school children. I only see change coming about when we shift the focus in education, as I said earlier, to parents and students.

For those of us who believe that we will only get reform and real improvement when we embrace the idea of school choice, I would cite these statistics. This is a recent Gallup poll that was done for a group called Phi Delta Kappa International. In the poll, 72 percent of black parents, 72 percent of African Americans favored parental choice, including taxpayer-paid vouchers for private school.

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Sixty-three percent of Hispanic American parents favored the idea.

Mr. Speaker, I want to submit that we cannot leave those young people behind. We cannot relegate them to failing or underperforming schools. We have to give them a way out. We have to ensure that they have the knowledge and the education and the job skills to take advantage of this economy and these kind of jobs, and that our failure to do so will be nothing less than a national disgrace. But for those young people, the have-nots of tomorrow, the future have-nots of the 21st century, for those young people, it is a personal tragedy.

I submit that we have to have more choice in education in order to empower parents. Ultimately, we have to recognize that parents are responsible as the first and best teacher of their children, and responsible for the education that their children receive. I guess it is almost as simple as really, if we are going to give students a chance, we have to give parents a choice.

The other thing I want to do, Mr. Speaker, in closing out my comments under this special order, is to talk about an even more fundamental lesson in education, and that is the moral lessons that we teach our kids. I personally believe that there is nothing more important than personal morality. I am concerned that our young people today, in part because of events here in Washington, D.C., may not be receiving that message.

I am here today to stand and say unequivocally to our young people, and I can say this as the father and parent of three children myself, that the truth matters and that character counts. There is nothing more important, nothing more important in your life than your personal morality and your ability to influence other people around you by your own moral example.

The problems that plague our Nation today, aside from the education problems that I have talked about for most of the past hour, the problems that plague our Nation today arise primarily from bad moral decisions made by adults, illegitimacy, crime, drugs, divorce, drug abuse, child abuse and child neglect, even pornography, abortion. All those problems reflect poor moral decisions, poor choices made by adults.

I also submit that the most pressing issue affecting child welfare in America today is the breakdown in the family. If the family breaks down, of course whole societies or whole communities are going to begin to disintegrate. You do not have to walk very far from where we are gathered now, the Nation's Capital, the shrine of democracy, to see evidence of that kind of family breakdown and social disintegration.

We need good role models probably more than ever before. Given again recent events here in Washington, we need good role models in American society.

Let me stipulate that politicians, those of us who hold elective office, should be role models. We should be held to higher standards because, whether we like it or not, we are role models for our constituents and for our children. Our children represent our common hopes, our common dreams and our common mission as a country.

I want to talk a little bit about the importance of morality. I want to note that less than a month ago, we celebrated President's Day, which was created to celebrate the birthdays of Presidents George Washington and Abraham Lincoln. That is the day recently when we honored, as a country, two great men who led this country at very unique times. I would not say that any of us who serve in the Congress today could put ourselves in the same category as a Washington or a Lincoln, but I would say it is their qualities of leadership and strength of character that every person running for or serving in elective office should try to emulate.

First and foremost, both were men of great integrity and fortitude. Secondly, both were men who were willing to do the right thing for their country, regardless of the political consequences. George Washington said, ''Let prejudices and local interests yield to reason. Let us look to our national character into things beyond the present period.''

Abraham Lincoln said in his last public address, ''Important principles may and must be inflexible.''

Both men believed in being patriotic citizens first and politicians second. That is a goal or a vision that I think is too often lost in modern American politics. Both men believed in putting principle over politics. They triumphed over adversity and numerous setbacks. The value of courage, persistence and perseverance has rarely been illustrated more convincingly than in the life story of these two men that we revere, and both of those men, when you read their writings, recognized that their perseverance was a gift of God.

I want to stress again the importance of setting the right example, teaching our young people the right lessons. It is in that context that I would hope that some of the recent actions by the administration could be viewed. I took great exception the other day when the White House press secretary, a man by the name of Michael McCurry, actually compared Ken Starr, the independent counsel, to Saddam Hussein, if you can imagine. In fact the exchange was, a reporter asked him, does the White House have any delight in or feel responsibility for a CBS News poll that shows Ken Starr with an approval ratings of 12 percent. And Mr. McCurry responded by saying, ''Where was Saddam?''

I am sure he thought he was being cute, even funny, when he made those comments, but I do not think those are responsible comments. I think he should be rebuked for making those kinds of comments.

I would remind Mr. McCurry and the other people who are participating in what seems to be an orchestrated or concerted strategy by this administration with respect to the truth to first deny it and then stonewall and then attack, it is the old shoot-the-messenger theory, that the best defense is a good offense.

I would remind Mr. McCurry and his ilk that Mr. Starr has a very important job to do, that he has obtained a number of indictments and guilty convictions, that with respect to his mandate to investigate the so-called Whitewater real estate matter that he has already obtained convictions of two of the individuals directly involved in that particular venture, the two people who were business partners of the President and the First Lady. He has also obtained a conviction of the President's immediate successor as the governor of Arkansas, a gentleman who from all appearances is now cooperating with the investigation.

So I think Mr. McCurry ought to think twice before making those kinds of comments, even if he does want to appear to be very witty and clever as he banters with the media.

I also want to go on record as saying once again, and our rules here in the House are structured so as to preserve comity—c-o-m-i-t-y, not comedy, c-o-m-e-d-y—but I do want to say that I

personally believe, since it has now been well over 40 days since the President promised to clear the air and tell the American people the full truth, in fact I think he promised more rather than less, sooner rather than later, I want to say that I do believe that the President owes us all as fellow Americans, since we are all his constituents, he is the only elected official who represents every American, that he owes us all a complete explanation.

I also want to tell my colleagues that it is my interpretation of the law that it is simply not true, as the President claims, as the gentleman from Georgia (Mr. BARR) said the other day, that the rules of law or the rules of any court prohibit him, the President, from commenting, or from clearing the air and telling the truth.

I do not believe that the law or any court order constrains the President from following through on his promise to the American people to tell more rather than less and sooner rather than later. I believe that it is his choice, his decision alone, that keeps the President from commenting on the matters that swirl around him and keep the President from telling the American people the whole truth.

By the way, I personally believe that you can trust the American people with the truth, even when it is bad news. All I can say is that I would hope that the President will come forward soon and speak to the American people.

I also again just want to tell our young people that there is nothing more important than your personal morality, your word. There is nothing more important than the character you are developing now as you go through school and the character you will display as a young person. I want to say that character does count.

I salute those who are coming forward now, such as the American women who had a rally last week here in Washington on March 5, a week ago today, in John Marshall Park. The theme of their rally was very simple; it was, Character Does Count, exclamation point.

These women, I think, are really to be commended, because they came forward. They are asking their fellow Americans to add their voices to those who believe that the American people deserve leaders of honesty, faithfulness and integrity, leaders who respect rather than dishonor and undermine marriage and the family. I want to tell those ladies that I admire them; I think that they are sending a very important message to our young people.

I personally believe that Americans do care. I know that I care personally, and that together, if enough of us care, we can demand leaders who will tell the truth, obey the law and who are worthy role models for our children.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GOSS (at the request of Mr. ARMEY) for March 10, 11 and 12, on account of personal reasons.

Mr. REDMOND (at the request of Mr. ARMEY) for March 10, 11 and 12, on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:

Mr. FILNER, for 5 minutes, today.
Ms. NORTON, for 5 minutes, today.
Ms. MILLENDER-MCDONALD, for 5 minutes, today.
Mrs. MALONEY of New York, for 5 minutes, today.
Mr. LANTOS, for 5 minutes, today.
Mr. RANGEL, for 5 minutes, today.
Mr. ALLEN, for 5 minutes, today.
Mr. BARCIA, for 5 minutes, today.

The following Members (at the request of Mr. WELDON of Florida) and to include extraneous matter:

Mr. PETERSON, for 5 minutes, today.
Mr. WELDON of Florida, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

The following Members (at the request of Mr. PALLONE) and to include extraneous matter:

Mr. KIND.
Mr. MARKEY.
Mr. EVANS.
Mr. TOWNS.
Mr. ROEMER.
Mr. SHERMAN.
Mr. BERRY.
Mr. MASCARA.
Mr. MENENDEZ.
Mr. SCHUMER.
Mr. BORSKI.
Mr. KUCINICH.

The following Members (at the request of Mr. WELDON of Florida) and to include extraneous matter:

Mr. DIAZ-BALART.
Mr. OXLEY.
Mr. BOB SCHAFFER of Colorado.

The following Members (at the request of Mr. RIGGS) and to include extraneous matter:

Mr. GINGRICH.
Mr. WEYGAND.
Ms. HOOLEY of Oregon.
Mr. STARK.
Mr. PASCRELL.
Mr. EVANS.
Mr. RUSH.
Ms. ROYBAL-ALLARD.
Mr. RADANOVICH.
Mr. FORBES.
Mr. KANJORSKI.
Mrs. MORELLA.
Mr. PACKARD.
Mr. LOBIONDO.

SENATE BILLS REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1605. An act to establish a matching grant program to help States, units of local government, and Indian tribes to purchase armor vests for use by law enforcement officers; to the Committee on the Judiciary

ADJOURNMENT

Mr. RIGGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until Monday, March 16, 1998, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

7923. A letter from the Assistant Secretary for Reserve Affairs, Department of Defense, transmitting a report entitled ''Reserve Component Update, FY 1999 Budget''; to the Committee on Appropriations.

7924. A letter from the Under Secretary, Aquisition and Technology, Department of Defense, transmitting a copy of the Department's determination that it is in the public interest to use other than competitive procedures for the procurement of the supplies described therein, pursuant to 10 U.S.C. 2304(c)(7); to the Committee on National Security.

7925. A letter from the Under Secretary for Acquisition and Technology, Department of Defense, transmitting a report entitled ''Restructuring Costs Associated With Business Combinations,'' pursuant to Public Law 105—85; to the Committee on National Security.

7926. A letter from the Secretary of Defense, transmitting a report on the number of military technician positions that were held by non-dual status military technicians on September 30, 1997, pursuant to Public Law 105—85; to the Committee on National Security.

7927. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Loans to Executive Officers, Directors, and Principal Shareholders of Member Banks; Loans to Holding Companies and Affiliates [Docket Number R–0940] received March 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7928. A letter from the Managing Director, Federal Housing Finance Board, transmitting the Board's reports entitled ''1998 TF Salary Structure'' and the ''1998 TS/TM Salary Structure''; to the Committee on Banking and Financial Services.

7929. A letter from the Federal Register Liaison Officer, Office of Thrift Supervision, transmitting the Office's final rule—Mutual Holding Companies [98–23] (RIN: 1550–AB04) March 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7930. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Notice of Final Funding Priorities for Fiscal Years 1998–1999 for Rehabilitation Engineering Research Centers received March 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7931. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Notice of final priority and selection criteria—received March 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7932. A letter from the Secretary of Health and Human Services, transmitting a report on progess in achieving the performance goals referenced in the Prescription Drug User Fee Act of 1992 (PDUFA), pursuant to 21 U.S.C. 379g nt.; to the Committee on Commerce.

7933. A letter from the Secretary of Transportation, transmitting a review of average fuel economy standards under part A of title V of the Motor Vehicle Information and Cost Savings Act, pursuant to 49 U.S.C. 32916; to the Committee on Commerce.

7934. A letter from the Director, Office of Rulemaking Coordination, Department of Energy, transmitting the Department's final rule—Personal Property Letter [Issue Number 970–3, Revision 1] received February 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7935. A letter from the Director, Office of Rulemaking Coordination, Department of Energy, transmitting the Department's final rule—Open Access Transmission Service Tariff [FR Doc. 98–230] received February 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7936. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approval Numbers Under the Paperwork Reduction Act [FRL–5670–1] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7937. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approval Numbers Under the Paperwork Reduction Act [FRL–5807–2] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7938. A letter from the Director, Office of Regulatory Information and Management, Environmental Protection Agency, transmitting the Agency's final rule—Final Determination to Extend Deadline for Promulgation of Action on Section 126 Petitions [FRL–5925–4] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7939. A letter from the Director, Office of Regulatory Information and Management, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to OMB Approval Numbers [FRL 5379–8] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7940. A letter from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule— Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Eureka, Montana) [MM Docket No. 97–232 RM -9191] received March 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7941. A letter from the Chairman, Advisory Committee on Reactor Safeguards, Nuclear Regulatory Commission, transmitting a study of reactor safety research, pursuant to 42 U.S.C. 2039; to the Committee on Commerce.

7942. A letter from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Foreign Assets Control Regulations; Regulations Prohibiting Transactions Involving the Shipment of Certain Merchandise Between Foreign Countries; Cuban Assets Control Regulations: Civil Penalty Administrative Hearings [31 CFR Parts 500, 505 and 515] received February 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

7943. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting Ambassador Frank Wisner's report on the transfer of missile technology to Iran; to the Committee on International Relations.

7944. A letter from the Administrator, Office of Management and Budget, transmitting a report entitled ''Electronic Commerce for Buyers and Sellers, A Strategic Plan for Electronic Federal Purchasing and Payment'' and ''An Assessment of Current Electric Commerce Activity in Procurement,'' pursuant to Public Law 105—85; to the Committee on Government Reform and Oversight.

7945. A letter from the Commissioner, Bureau of Reclamation, transmitting the status of the revenues from and the cost of constructing, operating and maintaining each lower basin unit of the Colorado River Basin project for the preceding fiscal year, pursuant to 43 U.S.C. 1544; to the Committee on Resources.

7946. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft of proposed legislation to revise the boundary of Fort Matanzas National Monument, and for other purposes; to the Committee on Resources.

7947. A letter from the Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft of proposed legislation to amend the Act which established the Saint-Gaudens National Historic Site, in the State of New Hampshire, by modifying the boundary and for other purposes; to the Committee on Resources.

7948. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft of proposed legislation to amend the boundaries of Grant-Kohrs Ranch National Historic Site in the State of Montana; to the Committee on Resources.

7949. A letter from the Marshall of the Court, Supreme Court of the United States, transmitting a report on administrative costs of protecting Supreme Court Officials, pursuant to 40 U.S.C. 13n(c); to the Committee on the Judiciary.

7950. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting a draft of proposed legislation entitled ''Money Laundering Act of 1998''; to the Committee on the Judiciary.

7951. A letter from the Chairman of the Board, United States Naval Sea Cadet Corps, transmitting a report entitled ''Naval Sea Cadet Corps (NSCC)''; to the Committee on the Judiciary.

7952. A letter from the President, John F. KENNEDY Center for the Performing Arts, transmitting a draft of proposed legislation to authorize appropriations to The John F. KENNEDY Center for the Arts and to further define the criteria for capital repair and operation and maintenance, pursuant to 31 U.S.C. 1110; to the Committee on Transportation and Infrastructure.

7953. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Rewrite of the NASA FAR Supplement (NFS) [48 CFR Parts 1815, 1816, 1852, and 1870] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

7954. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Rewrite of the NASA FAR Supplement (NFS) [48 CFR Parts 1817, 1822, 1823, 1824, 1852, and 1871] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

7955. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Rewrite of the NASA FAR Supplement (NFS) [48 CFR Parts 1828, 1829, 1830, 1831, 1832, 1833 and 1852] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

7956. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Addition of Coverage to NASA FAR Supplement (NFS) on NASA Shared Savings Clause [48 CFR Parts 1843 and 1852] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

7957. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Rewrite of the NASA FAR Supplement (NFS) [48 CFR Parts 1815, 1816, 1852, and 1870] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

7958. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Rewrite of the NASA FAR Supplement (NFS) [48 CFR Parts 1805, 1815, 1831, 1834, 1835, 1836, 1837, 1839, 1841, 1852, 1870, 1871, and 1872] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

7959. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—NASA FAR Supplement; Protests to the agency [48 CFR Part 1833 and 1852] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

7960. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Rewrite of the NASA FAR Supplement (NFS) [48 CFR Parts 1803, 1805, 1812, 1815, 1835, 1842, 1843, 1844, 1846, 1847, 1848, 1849, 1850, 1851, and 1852] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

7961. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Revision to the NASA FAR Supplement to Eliminate Non-Statutory Certification Requirements [48 CFR Parts 1819 and 1845] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

7962. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Revision to the NASA FAR Supplement To Delete Class Deviation [48 CFR Part 1831] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

7963. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Quick-Closeout Procedures [48 CFR Part 1842] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

7964. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—National Aeronautics and Space Administration [48 CFR Parts 1803, 1804, 1807, 1809, 1813,

1815, 1816, 1819, 1822, 1824, 1825, 1827, 1832, 1836, 1837, 1839, 1842, 1844, 1845, 1852, 1853, and 1870] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

7965. A letter from the Acting Deputy Director, National Institute of Standards and Technology, transmitting the Institute's final rule— Continuation of Fire Research Grants Program—Availability of Funds [Docket No: 971222307–7307–01] (RIN: 0693–ZA20) received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

7966. A letter from the General Counsel, Department of Housing and Urban Development, transmitting the Department's final rule—Empowerment Zones: Rule Modifications for First Round Designations [24 CFR Part 597] received March 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7967. A letter from the Secretary of Energy, transmitting a report on the Formerly Utilized Sites Remedial Action Program (FUSRAP); jointly to the Committees on Commerce and Transportation and Infrastructure.

7968. A letter from the Administrator, General Services Administration, transmitting the annual report regarding the accessibility standards issued, revised, amended, or repealed under the Architectural Barriers Act of 1968, as amended, pursuant to 42 U.S.C. 4151; jointly to the Committees on Transportation and Infrastructure and Education and the Workforce.

7969. A letter from the Secretary of Health and Human Services, Health Care Financing Administration, transmitting the Administration's final rule— Medicare and Medicaid Programs; Surety BOND Requirements for Home Health Agencies [HCFA–1152–F] (RIN: 0938–AI31) received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

7970. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation entitled the ''Medicare Administrative Improvement Amendments of 1998''; jointly to the Committees on Ways and Means and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COBLE: Committee on the Judiciary. H.R. 2294. A bill to make improvements in the operation and administration of the Federal courts, and for other purposes; with an amendment (Rept. 105–437). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. House Concurrent Resolution 238. Resolution authorizing the use of the Capitol Grounds for a breast cancer survivors event sponsored by the National Race for the Cure; with an amendment (Rept. 105–438). Referred to the House Calendar.

Mr. CANADY: Committee on the Judiciary. H.R. 3117. A bill to reauthorize the United States Commission on Civil Rights, and for other purposes; with an amendment (Rept. 105–439). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Oregon: Committee on Agriculture. H.R. 2515. A bill to address the declining health of forests on Federal lands in the United States through a program of recovery and protection consistent with the requirements of existing public land management and environmental laws, to establish a program to inventory, monitor, and analyze public and private forests and their resources, and for other purposes; with amendments (Rept. 104–440 Pt. 1).

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on Resources discharged from further consideration. H.R. 2515 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 2515. Referral to the Committee on Resources extended for a period ending not later than March 12, 1998.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. EVANS (for himself, Mr. KENNEDY of Massachusetts, Mr. FILNER, Ms. BROWN of Florida, Mr. MASCARA, Mr. PETERSON of Minnesota, Ms. CARSON, Mr. REYES, and Mr. RODRIGUEZ):

H.R. 3444. A bill to amend title 38, United States Code, to provide that in the case of past-due benefits awarded an individual pursuant to a proceeding before the Secretary of Veterans Affairs, any payment of attorneys fees allowed with respect to such award shall be paid directly to the attorney by the Secretary; to the Committee on Veterans' Affairs.

By Mr. SAXTON (for himself, Mr. GILCHREST, and Mr. BILBRAY):

H.R. 3445. A bill to establish the Commission on Ocean Policy, and for other purposes; to the Committee on Resources.

By Mr. BUNNING of Kentucky (by request):

H.R. 3446. A bill to provide for the elimination of duty on Ziram; to the Committee on Ways and Means.

By Mr. FILNER:

H.R. 3447. A bill to amend the Internal Revenue Code of 1986 to increase the income threshold amounts for determining the inclusion in gross income of Social Security benefits; to the Committee on Ways and Means.

By Mr. FILNER:

H.R. 3448. A bill to amend the Internal Revenue Code of 1986 to provide an inflation adjustment of the income threshold amounts at which 85 percent of Social Security benefits become includible in gross income; to the Committee on Ways and Means.

By Mr. FILNER:

H.R. 3449. A bill to amend the Internal Revenue Code of 1986 to reduce the adjusted gross income threshold applicable in determining the deduction for medical care and to increase the mileage deduction for transportation for medical care; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 3450. A bill to protect the retirement security of Americans; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, Transportation and Infrastructure, and Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOSWELL:

H.R. 3451. A bill to amend the conservation reserve program to treat a non-profit organization that rents land from a State (or a political subdivision or agency thereof) as a separate person for purposes of applying the limitation on payments under conservation reserve contracts; to the Committee on Agriculture.

By Mr. CAMP:

H.R. 3452. A bill to amend the Tariff Act of 1930 to allow the sale of certain gasoline, alternative motor fuels, and motor oil at duty-free sales enterprises; to the Committee on Ways and Means.

By Mrs. CUBIN:

H.R. 3453. A bill to designate the Federal Building and Post Office located at 100 East B Street, Casper, Wyoming, as the ''Dick Cheney Federal Building''; to the Committee on Transportation and Infrastructure.

By Mr. EHRLICH:

H.R. 3454. A bill to amend the Federal Credit Union Act to modify the common bond requirements for members of Federal credit unions; to the Committee on Banking and Financial Services.

By Mr. HILL:

H.R. 3455. A bill to amend the Agricultural Market Transition Act to authorize the Secretary of Agriculture to extend the term of marketing assistance loans; to the Committee on Agriculture.

By Mr. KASICH (for himself and Mr. SHAYS):

H.R. 3456. A bill to provide for personal Social Security plus accounts funded by surpluses in the total budget of the United States Government and available for private investment in indexed funds; to the Committee on Ways and Means.

By Mr. LUTHER:

H.R. 3457. A bill to prohibit movies in which a tobacco company has paid to have its tobacco product featured; to the Committee on Commerce.

By Mr. OBERSTAR:

H.R. 3458. A bill to amend Public Law 90–419 to repeal a condition imposed in granting the consent of Congress to the Great Lakes Basin Compact; to the Committee on International Relations.

By Mr. RUSH (for himself, Mr. WAXMAN, and Mr. MARTINEZ):

H.R. 3459. A bill to amend title XVI of the Social Security Act to require the medical improvement standard to be used in redetermining the eligibility of 18-year-olds for supplemental security income benefits by reason of disability, and to allow funds in dedicated savings accounts to be used for food, clothing, shelter, utility, and personal items of a child; to the Committee on Ways and Means.

By Mr. SAXTON (by request):

H.R. 3460. A bill to approve a governing international fishery agreement between the United States and the Republic of Latvia, and for other purposes; to the Committee on Resources.

By Mr. SAXTON (by request):

H.R. 3461. A bill to approve a governing international fishery agreement between the United States and the Republic of Poland; to the Committee on Resources.

By Mr. SHAYS (for himself and Mr. KUCINICH):

H.R. 3462. A bill to amend the Federal Food, Drug, and Cosmetic Act to require notification of recalls of drugs and devices, and for other purposes; to the Committee on Commerce.

By Mr. TRAFICANT:

H.R. 3463. A bill to provide for the installation of enhanced vision technologies to replace and enhance conventional lighting systems with respect to airport improvement

projects; to the Committee on Transportation and Infrastructure.

By Mr. WEXLER (for himself, Mrs. CLAYTON, Mr. YATES, and Mr. THOMPSON):

H.R. 3464. A bill to amend title 28 of the United States Code to revise the authority of the independent counsel, and for other purposes; to the Committee on the Judiciary.

By Mr. MCGOVERN:

H. Con. Res. 242. Concurrent resolution expressing the sense of the Congress favoring the authorization, in the manner provided by law, of the establishment of a commemorative work in the District of Columbia to honor the veterans of the Persian Gulf War; to the Committee on Resources.

By Mr. ROGAN:

H. Con. Res. 243. Concurrent resolution expressing the sense of the Congress that the FederalGovernment should increase its support for basic and applied scientific research, and for other purposes; to the Committee on Science.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 44: Mr. LANTOS and Mrs. MORELLA.

H.R. 65: Mr. LANTOS.

H.R. 96: Mr. HALL of Texas and Mr. KENNEDY of Rhode Island.

H.R. 107: Mr. SHAW.

H.R. 146: Mr. SPENCE and Mr. ADERHOLT.

H.R. 218: Mr. MASCARA and Mr. THOMPSON.

H.R. 303: Mr. LANTOS.

H.R. 612: Mr. DIAZ-BALART, Mr. DICKEY, Mr. STOKES, Mr. HORN, Mr. CLAY, and Mr. CARDIN.

H.R. 777: Mr. ROEMER.

H.R. 880: Mr. COBURN, Mr. KLUG, and Mr. REDMOND.

H.R. 900: Ms. KILPATRICK.

H.R. 981: Mr. FORBES, Mr. PICKETT, Mr. SKELTON, Mr. DICKS, Mr. BALLENGER, Mr. MEEHAN, Mrs. MYRICK, Mr. SCOTT, Mr. MEEKS of New York, and Mr. TOWNS.

H.R. 1121: Mr. NORWOOD.

H.R. 1126: Mr. MEEKS of New York.

H.R. 1151: Mr. GOODLING and Mr. COBLE.

H.R. 1415: Mr. THOMPSON.

H.R. 1425: Mr. KENNEDY of Massachusetts and Mr. JACKSON.

H.R. 1636: Ms. NORTON, Mr. FALEOMAVAEGA, Mr. RANGEL, Ms. STABENOW, Mr. TIERNEY, Mr. MCNULTY, Mr. MALONEY of Connecticut, Mr. FRANK of Massachusetts, Mr. MCHALE, and Ms. WATERS.

H.R. 1706: Mr. FALEOMAVAEGA and Mr. LEWIS of Georgia.

H.R. 1712: Mr. WATTS of Oklahoma.

H.R. 1766: Mr. LINDER.

H.R. 1895: Mr. UNDERWOOD, Mr. EVANS, Ms. WOOLSEY, Ms. PELOSI, Mr. HINOJOSA, Mr. TORRES, and Mr. NADLER.

H.R. 1915: Ms. PELOSI.

H.R. 2145: Mr. LAHOOD.

H.R. 2224: Mr. ROMERO-BARCELO, Mr. KIND of Wisconsin, Mr. PAYNE, Mr. FRANK of Massachusetts, and Mr. MEEKS of New York.

H.R. 2377: Mr. GILMAN, Mr. SHADEGG, and Mr. HALL of Texas.

H.R. 2489: Mr. STRICKLAND, Mr. HEFNER, Mr. VENTO, Mr. TALENT, Mr. WATKINS, Mr. SKEEN, Mr. UNDERWOOD, Mr. FAWELL, and Mr. WALSH.

H.R. 2515: Ms. DUNN of Washington and Ms. DANNER.

H.R. 2538: Mr. KNOLLENBERG, Mr. THUNE, Mr. HUNTER, Ms. ROS-LEHTINEN, and Mr. TORRES.

H.R. 2568: Mr. JONES, Mr. SMITH of Michigan, and Mr. CAMP.

H.R. 2593: Mr. TORRES and Mr. TOWNS.

H.R. 2665: Mr. HINCHEY, Mr. HASTINGS of Florida, Mr. PALLONE, Mr. FALEOMAVAEGA, and Ms. FURSE.

H.R. 2670: Mr. FILNER.

H.R. 2760: Mr. PAPPAS.

H.R. 2807: Mr. TRAFICANT.

H.R. 2820: Mr. LANTOS.

H.R. 2850: Mr. MARTINEZ, Mr. BONIOR, Mr. FALEOMAVAEGA, and Mrs. MCCARTHY of New York.

H.R. 2864: Mr. HEFLEY, Mr. DEAL of Georgia, Mr. DOOLITTLE, Mr. MILLER of Florida, Mr. ROEMER, and Mr. WICKER.

H.R. 2869: Mr. HEFLEY, Mr. DEAL of Georgia, Mr. DOOLITTLE, and Mr. WICKER.

H.R. 2870: Ms. KAPTUR and Mr. PORTER.

H.R. 2871: Mr. HEFLEY, Mr. DEAL of Georgia, Mr. DOOLITTLE, and Mr. WICKER.

H.R. 2873: Mr. HEFLEY, Mr. DEAL of Georgia, Mr. DOOLITTLE, and Mr. WICKER.

H.R. 2875: Mr. HEFLEY, Mr. DEAL of Georgia, Mr. DOOLITTLE, and Mr. WICKER.

H.R. 2877: Mr. HEFLEY, Mr. DEAL of Georgia, Mr. DOOLITTLE, Mr. MILLER of Florida, Mr. ROEMER, AND MR. WICKER.

H.R. 2879: Mr. HEFLEY, Mr. DEAL of Georgia, Mr. DOOLITTLE, and Mr. WICKER.

H.R. 2881: Mr. HEFLEY, Mr. DEAL of Georgia, Mr. DOOLITTLE and, Mr. WICKER.

H.R. 2914: Mr. LUTHER.

H.R. 2923: Mr. BONIOR, Mr. COOKSEY, Mr. DAVIS of Virginia, and Mr. UPTON.

H.R. 2968: Mr. BURTON of Indiana and Mr. HOEKSTRA.

H.R. 2992: Mr. BURTON of Indiana and Mr. METCAF.

H.R. 3125: Mr. HASTINGS of Florida.

H.R. 3131: Ms. FURSE.

H.R. 3156: Mr. MCGOVERN, Ms. KILPATRICK, Mr. WAXMAN, Mr. SABO, Mrs. NORTHUP, Mr. HOYER, Ms. FURSE, Mr. DEUTSCH, Mr. TOWNS, Mr. ABERCROMBIE, Mr. ENGLISH of Pennsylvania, Mr. PORTMAN, Mr. BASS, Mr. FROST, and Mr. FORD.

H.R. 3157: Mr. JONES and Mr. BACHUS.

H.R. 3161: Mr. PRICE of North Carolina and Mr. BERMAN.

H.R. 3177: Mr. PALLONE and Mr. ENSIGN.

H.R. 3206: Mr. ROHRABACHER.

H.R. 3216: Mr. FALEOMAVAEGA and Mr. HOYER.

H.R. 3117: Mr. RANGEL and Mrs. JOHNSON of Connecticut.

H.R. 3235: Mr. HAYWORTH.

H.R. 3243: Mr. MCCOLLUM and Mr. SHAW.

H.R. 3248: Mr. INGLIS of South Carolina, Mr. NEUMANN, and Mr. CANNON.

H.R. 3254: Mr. GALLEGLY.

H.R. 3256: Mr. MILLER of Florida.

H.R. 3265: Mr. DAVIS of Florida, Ms. RIVERS, Mr. BOUCHER, Mr. NETHERCUTT, Mr. HILL, Mr. DOOLITTLE, Mr. COBLE, Mr. GUTKNECHT, and Mr. BOYD.

H.R. 3270: Mr. WOLF.

H.R. 3271: Mr. WOLF.

H.R. 3274: Mr. WOLF.

H.R. 3288: Mr. WICKER.

H.R. 3300: Mr. GEJDENSON, Mr. FROST, Mr. STRICKLAND, Mr. FALEOMAVAEGA, Mr. FILNER, and Ms. LOFGREN.

H.R. 3331: Mr. WELDON of Florida.

H.R. 3335: Mr. FOLEY.

H.R. 3336: Mr. MICA.

H.R. 3338: Mr. CLEMENT, Mr. UNDERWOOD, Mr. ACKERMAN, and Mr. WYNN.

H.R. 3340: Mr. RAMSTAD and Mr. MCNULTY.

H.R. 3342: Mr. ABERCROMBIE, Ms. VELÁZQUEZ, Mr. SHERMAN, Ms. ROYBAL-ALLARD, Ms. NORTON, Mr. VENTO, Mrs. KENNELLY of Connecticut, Mr. LEWIS of Georgia, Mrs. MALONEY of New York, Mr. DAVIS of Illinois, and Mr. BALDACCI.

H.R. 3396: Mr. KING of New York, Mr. ENGLISH of Pennsylvania, Mr. MILLER of Florida, Mr. PARKER, Mr. HUNTER, Mr. DUNCAN, Mr. DAN SCHAEFER of Colorado, Mr. TRAFICANT, Mr. QUINN, Mr. SAXTON, Mr. BOEHLERT, Mr. SMITH of Oregon, Mr. LEWIS of California, and Mr. HEFNER.

H.R. 3438: Mr. NEY.

H. Con. Res. 65: Mr. BENTSEN.

H. Con. Res. 126: Mr. FORBES, Mr. BONIOR, and Mr. YOUNG of Alaska.

H. Con. Res. 152: Mr. MALONEY of Connecticut and Mr. FOSSELLA.

H. Con. Res. 203: Ms. CARSON and Mr. CUNNINGHAM.

H. Con. Res. 208: Mr. DIAZ-BALART, Mr. LAHOOD, Mr. CALLAHAN, Mr. CALVERT, Mr. CHAMBLISS, Mr. RANGEL, Mrs. TAUSCHER, Mr. WATKINS, Ms. DANNER, Mr. RILEY, Mr. CRAPO, Mr. SKELTON, Mrs. MORELLA, Mr. BEREUTER, Mr. METCALF, Mr. HILL, Mr. BOYD, Mr. ENGLISH of Pennsylvania, Mr. FOX of Pennsylvania, Mr. COOK, Mrs. KELLY, and Mr. BARRETT of Wisconsin.

H. Con. Res. 212: Mr. GANSKE, Mr. SMITH of Michigan, Mr. MORAN of Kansas, Mr. BUNNING of Kentucky, Mr. BEREUTER, and Mr. BOB SCHAFFER.

H. Con. Res. 227: Mr. PETERSON of Pennsylvania and Mr. FRANK of Massachusetts.

H. Con. Res. 229: Mr. CALVERT, Mr. CHRISTENSEN, Mr. FRANKS of New Jersey, and Mr. PICKETT.

H. Res. 151: Mr. BUNNING of Kentucky.

H. Res. 218: Mr. WATT of North Carolina.

H. Res. 380: Mr. POMBO.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1415: Mr. SALMON.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. ___

OFFERED BY: MR. SANDERS

(IMF Supplemental Appropriations, FY98)

AMENDMENT NO. 1: At the appropriate place in the bill, insert the following:

SEC. ___. PROHIBITION OF FUNDING OF THE INTERNATIONAL MONETARY FUND UNLESS ITS BY-LAWS REQUIRE THAT PRIVATE CREDITORS PROVIDE CRISIS RESOLUTION ASSISTANCE BEFORE THE INTERNATIONAL MONETARY FUND DOES.

Title XV of the International Financial Institutions Act (22 U.S.C. 262o–262o–1) is amended by adding at the end following:

"SEC. 1503. PROHIBITION ON FUNDING OF THE INTERNATIONAL MONETARY FUND UNLESS ITS BY-LAWS REQUIRE THAT PRIVATE CREDITORS PROVIDE CRISIS RESOLUTION ASSISTANCE BEFORE THE INTERNATIONAL MONETARY FUND DOES.

''An officer, employee, or agent of the United States may not, directly or indirectly, provide Federal funds to, or for the benefit of, the International Monetary Fund unless the Secretary of the Treasury certifies that the bylaws of the International Monetary Fund provide that the International Monetary Fund shall not provide funds to any country experiencing a financial crisis resulting from excessive and imprudent borrowing by government or private borrowers, unless the private creditors, investors, and banking institutions which had extended such credit make a significant prior contribution by means of debt relief, rollovers of existing credit, or the provision of new credit, as part of an overall program approved by the International Monetary Fund for resolution of the crisis.''.

H. CON. RES. 227

OFFERED BY: MR. CAMPBELL

(Amendment in the Nature of a Substitute)

AMENDMENT NO. 1: Strike all after the resovling clause and insert the following:

SECTION 1. REMOVAL OF UNITED STATES ARMED FORCES FROM THE REPUBLIC OF BOSNIA AND HERZEGOVINA.

(a) FINDINGS.—The Congress finds the following:

(1) The Congress has the sole power to declare war under article I, section 8, of the Constitution.

(2) A state of war has not been declared to exist with respect to the situation in the Republic of Bosnia and Herzegovina.

(3) A specific authorization for the use of United States Armed Forces with respect to the situation in the Republic of Bosnia and Herzegovina has not been enacted.

(4) The situation in the Republic of Bosnia and Herzegovina constitutes, within the meaning of section 4(a)(1) of the War Powers Resolution (50 U.S.C. 1543(a)(1)), either hostilities or a situation where imminent involvement in hostilities is clearly indicated by the circumstances into which United States Armed Forces have been introduced.

(b) REMOVAL OF ARMED FORCES.—

(1) IN GENERAL.—Pursuant to section 5(c) of the War Powers Resolution (50 U.S.C. 1544(c)), the Congress hereby directs the President to remove United States Armed Forces from the Republic of Bosnia and Herzegovina not later than 60 days after the date on which a final judgment is entered by a court of competent jurisdiction determining the constitutional validity of this concurrent resolution, unless a declaration of war or specific authorization for such use of United States Armed Forces has been enacted.

(2) EXCEPTION.—The requirement to remove United States Armed Forces from the Republic of Bosnia and Herzegovina under paragraph (1) shall not apply with respect to—

(A) a limited number of members of the Armed Forces sufficient only to protect United States diplomatic facilities and citizens; or

(B) noncombatant personnel to advise the North Atlantic Treaty Organization (NATO) Commander in the Republic of Bosnia and Herzegovina.

(c) DECLARATION OF POLICY.—The requirement to remove United States Armed Forces from the Republic of Bosnia and Herzegovina under subsection (b) does not necessarily reflect any disagreement with the purposes or accomplishments of such Armed Forces, nor does it constitute any judgment of how the Congress would vote, if given the opportunity to do so, on either a declaration of war or a specific authorization for the use of such Armed Forces.